THE

# TRYAL

OF

## Richard Hathaway,

UPON AN

# INFORMATION

For being a

# Cheat and Impostor,

For endeavouring to take away

The Life of *SARAH MORDUCK*,

For being a

# WITCH,

AT

# Surry ASSIZES,

Begun and held in the

BURROUGH of *SOUTHWARK*,
*March* the 24th, 1702.

IN WHICH

Is discovered the malicious Designs of the said Impostor, with an Account of his pretended Inchantments and Witchcraft. Before the Right Honourable the Lord Chief Justice *Holt* and Mr. Baron *Hatsell.*

To which is added,

A Short Account of the Tryal of *Richard Hathaway*, *Thomas Wellyn* and *Elizabeth* his Wife, and *Elizabeth Willoughby*, Wife of *Walter Willoughby*, upon an Information for a Riot and Assault upon *Sarah Morduck*, the pretended Witch, at the said Assizes.

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*LONDON:*
Printed for *Isaac Cleave*, next to Serjeants-Inn in *Chancery lane*.
MDCCII.

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I *Do Appoint* Isaac Cleave *to Print the Tryal of* Richard Hathaway, *and that no other Person presume to Print the same.*

J. Holt.

# THE TRYAL OF Richard Hathaway,

## *Wednesday,* March 25. 1702.

*Proclamation was made for all Persons concerned to attend.*

THE Prisoner being brought into Court, and acquainted what liberty he had to Challenge those Gentlemen that were called, he making no Challenges the Gentlemen that were Sworn on the Jury were,

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| *Charles Bladworth,* | Esq; | *William Draper,* | Esq; |
| *Henry Tendall,* | | *Richard Nicholas,* | |
| *Walter Kent,* | | *Cesar Bradshaw,* | |
| *John Burchet,* | | *John Cater,* | Gent. |
| *John Pettiward,* | | *Samuel Pearson,* | |
| *Thomas Lowfield,* | | *Richard Hammond,* | |

The King against *Richard Hathaway,* for an Impostor.

Surry ss. *The King's Attorney General has exhibited an Indictment against the Defendant, by the name of* Richard Hathaway, *of* Southwark, *in the County of* Surry, *Labourer; and the Information sets forth, That the said* Richard Hathaway, *being a Person of an evil Name and Fame, and an Impostor, and contriving and maliciously intending, one* Sarah Morduck, *the Wife of one* Edward Morduck *of* Southwark, *in the said County, Waterman, who for the whole course of her Life was an honest and pious Woman, and not a Witch, nor using Witchcraft, Inchantement, Charm or Sorcery, to bring into the danger of losing her Life, the 11th day of* February, *in the 12th Year of the Reign of the King, at* Southwark, *in the said County, in the Presence and Hearing of divers Persons, falsely, maliciously, devilishly, and knowingly, and as a false Impostor, did pretend and affirm himself, by the said* Sarah, *to be bewitched, and by the occasion of that pretended Witchcraft, he could not Eat, and by the space of ten Weeks to fast, and was affected with divers Diseases; and that he by drawing Blood from the said* Sarah, *by scratching, should be freed from the said pretended Witchcraft; that the said* Richard Hathaway, *did then, and there, with force and Arms, scratch the said* Sarah, *and did draw the Blood of her, the said* Sarah, *by scratching, and thereupon, he, the said* Richard Hathaway, *did then, and there, falsely, maliciously, and knowingly, by affirming himself to be freed from the said Diseases, by drawing the said Blood; whereas in Fact and in Truth, the said* Richard Hathaway *was never Bewitched, and had not fasted for the Time aforesaid, nor for any great time; and whereas in Truth and in Fact, the said* Richard, *then, and there, well knew himself not to be Bewitched by the said* Sarah, *to the great Contempt of our Lord the King and his Laws, to the evil and wicked Example of all others in the like Case offending, and against the Peace of our said Lord the King, his Crown and Dignity,* &c.

Mr. *Raymond.* May it please your Lordship, and you Gentlemen of the Jury, The Information sets forth, That the Defendant being a Person of an evil Fame, and an Impostor, and maliciously contriving to take away the Life of one *Sarah Morduck,* the Wife of *Edward Morduck,* who always was a good Woman, and not a Witch, nor using Witchcraft, the 11th Day of *February,* in the twelfth Year of the Reign of the late King, at *Southwark,* in the Presence and Hearing of divers Persons, did falsely, devilishly, and knowingly, and as a false Impostor, pretend and affirm himself to be bewitched by the said *Sarah,* and that by reason thereof, he could not Eat, but had fasted for ten Weeks, and was also affected with divers Diseases, and that by his drawing Blood from the said *Sarah,* by scratching, he should be freed

from his ſaid pretended Bewitching: That the Defendant did thereupon ſcratch the ſaid *Sarah*, and did draw the Blood of the ſaid *Sarah* by ſuch his ſcratching, and thereupon he falſely affirmed, that by drawing the ſaid Blood he was freed from the ſaid Diſeaſes; whereas in Truth and Fact he was never bewitched, nor had he faſted as aforeſaid, and he knew himſelf not to be Bewitched by the ſaid *Sarah*, in Contempt of the ſaid late King, and his Laws, and againſt the Peace of his Crown and Dignity.

Mr. *Conyers*. May it pleaſe your Lordſhip, and you Gentlemen of the Jury, This is an Information againſt *Richard Hathaway*, for a Cheat, for endeavouring to impoſe upon the People a belief, that he had been bewitched by one *Sarah Morduck*, and that as an effect of her pretended Witchery, he vomited up Nails and Pins, and that he could not ſpeak, nor open his Eyes, and that great Noiſes were heard in the Houſe where he lay, and there could be no remedy for him, but by his ſcratching and fetching Blood of this *Sarah Morduck*; and by this means the poor Woman has been very much abuſed, by her Neighbours, reputed a Witch, and brought to a Trial for her Life as ſuch; but that there was nothing but a malicious Deſign in it, will appear by the Evidence that will be produced. This *Richard Hathaway* was for ſome time an Apprentice with one *Welling*, a Blackſmith, in *Southwark*. About *September* laſt was Twelve Month, he gave out that he was bewitched, and he went to this Womans Houſe and ſcratched her, and the pretence was, that ſcratching and fetching Blood of her recovered him. The Miniſter of the Pariſh, Dr. *Martin*, hearing that it was noiſed about, that the Defendant had been relieved by ſcratching *Morduck*, came and viſited him. He could neither ſpeak nor ſee as he pretended, but underſtood what was ſaid to him, and gave aſſent to what was propoſed to him by holding up of his Hands; Dr. *Martin* tells him he heard that this Woman had Bewitched him, and that his ſcratching of her was the means by which he was relieved, and that he deſired to ſee the Experiment himſelf, and therefore had brought *Sarah Morduck* there, and deſired him to hold up his Hand if he underſtood what he ſaid, which he did. Dr. *Martin* had another Woman there at that time (tho' that was concealed from *Hathaway*) and *Sarah Morduck* by the Doctors direction ſpoke to him, and came to his Bed ſide, and the Defendant was by the Doctor bid to ſcratch her. When he came to ſcratch, the Doctor took the Hand of the other Perſon and put it into the Defendants Hand, and as ſoon as he had ſcratched the other Perſon his Eyes began to open, and he could ſpeak; and immediately it was made known to himſelf and the Company, that the Perſon he had ſcratched was another Perſon, and not *Sarah Morduck*. But notwithſtanding this, he was not ſatisfied, but ſtill there was a proſecution of *Sarah Morduck* for a Witch; and ſhe was forc'd for ſome time to go and reſide in *London*; and there the Rabble got about her and abuſed her, of which complaint was made to a Magiſtrate in the City, and *Sarah Morduck* was had before him, and then *Hathaway* was ſent for, and there again ſcratcht her; and it was ſo far credited there, notwithſtanding an account given by Dr. *Martin* of the Experiment he made, that the poor Woman is committed for a Witch, and afterwards brought to a Trial for her Life; and upon the Trial it appeared plainly that all this was a Contrivance, and there was no Evidence to charge her with the Bewitching this Man; and after a long hearing, upon a full Evidence, the Jury acquitted her, and the Man was committed for a Cheat. But notwithſtanding this acquittal, he ſtill goes on to perſwade People, that he was bewitched; that he had faſted ſeveral Days together, and could not eat; and then for a further Conviction that he was an Impoſtor, and only endeavoured maliciouſly and falſely to impoſe this belief on People, he is about the beginning of laſt *November* committed to the care of a Chyrurgeon, one Mr. *Kenſey*, where for two Days he did not eat; but afterwards his Stomach began to come to him, and when he could get any Victuals privately he had a very good Stomach, and could Eat and Drink till he was Drunk. And it was contrived, that holes were made into the Room where he was, and the Maid that look'd after him, was directed to give him notice that ſhe would help him privately to Victuals; and from the ſecond Day after he was there, till the Eleventh Day he did eat conſtantly every Day, though he pretended he faſted all that time, and had done ſo for fourteen Weeks; and he was ſeen to Eat through thoſe holes. All this, and much more, will be fully proved by the Witneſſes; ſo that there has been a great affront to the publick Juſtice of the Nation by this proceeding, many having abetted it, and they have put up Bills in ſeveral Churches to Pray for him againſt the Tryal, and gathered Money to ſupport him in this falſe and malicious Pretence.

Mr. *Brodrick*. My Lord, the diſcovering and puniſhing ſuch a Cheat as this, is highly neceſſary, and not only for the Vindicating the publick Juſtice of the Nation, but for the ſake of Religion it ſelf, which ſuffers by nothing more, than by the countenancing

tenancing of indirect Practcies, made uſe of upon a pretence of Maintaining and Supporting its Credit. Religion has in it ſelf ſuch genuine and native Truth, as muſt work Conviction upon the Underſtandings of all Perſons who allow themſelves leiſure to conſider it without Prejudice: But when Tricks and little Arts are carried on for a time, and attain a general Credit, and appear afterwards to be what are called *Pious Frauds*, they do far more miſchief than all the good propoſed by ſuch Practices can make amends for. For when Men who are Sceptically inclined, find that the generality of Mankind run away with Stories of this Nature, and thoſe Facts afterwards prove undeniably falſe; they carry their doubts on much too far, and are apt to conclude, that they cannot ſecurely rely upon the Relation of others, and general Conſent of Mankind, for the certainty of any Fact whatſoever. It is therefore the Duty of all Perſons, that are concerned for Religion in general, to endeavour to detect ſuch Practices which weaken one of its moſt ſolid Foundations.

And, my Lord, we conceive this Proſecution very neceſſary, in order to the vindicating the Juſtice of the Nation. Here was a Woman that underwent a ſolemn Tryal, and upon a full Hearing was acquitted; yet afterwards, notwithſtanding the thorough Examination of the Fact, and ſuch an Evidence given as convinced every unprejudiced Hearer of the innocence of the Defendant, and the malice and hypocriſie of the Accuſer, ſuch a Spirit did reign, that it was repreſented that the Defendant had hard meaſure; and not only the Jury, but the Court too, were reflected on; nay, it went ſo far, that after the innocence of the Woman appeared by her acquittal, a Magiſtrate (whoſe Name the Witneſſes will diſcloſe in their Evidence) gave publick Countenance to this Impoſtor (for by that name I will venture to call him) and ſo far gave credit to him, that when the poor Woman was abuſed by the Rabble, and her Life being in danger, ſhe made application to that Magiſtrate for Protection; who inſtead of affording it to her, encouraged her Proſecutors, as if ſhe had really been guilty of the Witchcraft laid to her Charge; and conſiderable Collections were made for this Man, to ſupport his Spirits under the diſappointment that he met with in her being acquitted.

This Proſecution was neceſſary too, upon the account of the poor Woman, who, unleſs ſome check be put to the unruly Proceedings of unthinking People, is not yet ſafe in her Houſe, but in danger to be torn in pieces; and it was thought moſt proper that this matter ſhould be throughly examined in this place, where the Scene of his counterfeiting for the moſt part did lie, that prepoſſeſſed People might be Ear Witneſſes of the fairneſs of the proceeding, and that all Perſons might have an opportunity if they thought fit of offering any thing, fit to be offered, in his Defence.

My Lord, we need not trouble the Court with Evidence tending to prove that the accuſed Perſon is not guilty of Witchcraft; ſhe is acquitted of that, and it ought not to be ſuffered to be made a Diſpute: But our Evidence will go beyond that; not only that there was no colour or foundation for the Charge on her, of being a Witch: But that the Defendant did maliciouſly, without any ground, and contrary to his own knowledge, charge her with the having Bewitched him. And I think our Evidence all through, will prove this matter fully upon him; that he was not Bewitched, nay, that he did not believe himſelf to be ſo, yet Charged and Proſecuted her.

The firſt Part of his pretended Witchcraft ſhewed it ſelf by his vomiting Pins; how that buſineſs was managed, and how he was detected in it, the Witneſſes will declare: And though we are not obliged to endeavour the giving an Account of what it was that induced him firſt to undertake this Impoſture, I think it will appear by the Evidence that he had ſome Aim and Proſpect of Gain to himſelf; for upon his firſt pretending to vomit Pins, we ſhall prove he had prepared *a Narrative of his own being Bewitched*, and *he himſelf carried it to a Printer*, that ſo he might bring a Concourſe of People to him; but the Printer being a Man of ſome underſtanding, lookt on him to be a Cheat, and would not meddle with the Copy: He practiſed his Trick of Vomiting Pins ſeveral times, but pretending to it once before, one who did not take every thing upon Truſt, but was curious enough to obſerve Nicely, and ſearch him; *after ſome reſiſtance, ſeveral Rows of Pins were found in his Pocket.*

The next Diſcovery of his Impoſture, was the Affair wherein Dr. *Martin* was concerned; who brought 2 Women to him: The particulars of which having been already opened, I'll not repeat them; the Doctor put an innocent Deceit upon him, but it was in order to diſcloſe a vile Impoſtor. When the Woman was brought to him to be ſcratcht, being conſcious to himſelf, how little real effect the barbarous Experiment would have upon him, the whole Company obſerved, that he felt three or four times from her Hand to her Elbow, before he ſcratcht; that

he

he might be ſure it was a Womans Hand. And when he had ſcratcht, and felt blood, his Eyes were opened, tho' it was the wrong Woman.

Another Inſtance of his acting a Part, with Deſign to impoſe upon the World, was, when he was carried from the Kings-Bench to Mr. *Kenſeys*; it was neceſſarily to be imagined, that if he Eat or Drank nothing, nothing would come from him, either by Stool or Urine: He conſidered this, and for fear it ſhould be taken notice of, that he diſcharged himſelf after ſo long a Faſt as he pretended; having occaſion to make Water, he found the Lid of a Box, and making Water in it, put it out of ſight, on the Beds-teſter, and the firſt Diſcovery of his Counterfeiting at Mr. *Kenſeys*, was by the dropping of that Water on the Cloaths of the Bed: After he had been two Days there, (during which time he really did not Eat) Mr. *Kenſey* not knowing but that his Complexion might encline him to ſuch a Sullenneſs, as to ſtarve himſelf, rather than directly confeſs his Cheat, having firſt examined his Mouth, and Throat, and finding nothing there but as it was in all other Men, and that he had not only all other Organs but that of ſwallowing, without any obſtruction as other People had, thereupon he framed this Deſign; he took occaſion to pretend a Quarrel with the Maid Servant who lived in his Houſe, within the hearing of the Defendant, and told her She was as very a Hypocrite as this Fellow, and after warm Words on both ſides, and a ſeeming Reſolution by her that ſhe would quit her Service, the Maſter went away, leaving the Maid and the Defendant together; She, to inſinuate her ſelf into the Defendant ſaid, Her Maſter was an odd kind of a Man, a dangerous Man, therefore ſhe would not have the Defendant take any thing from him, and ſaid ſhe would take care to ſupply him whilſt ſhe ſtaid in the Houſe: Then his Stomach came to him very readily, and he was ſo far from being unable to Drink, that he drank Brandy, and other Liquors to exceſs, and this for ſeveral Days. But ſtill thoſe in the Houſe being wary, thought it might be pretended by People who were very willing to believe him, that this happened by the Charms being diſſolved, and that he was unable to Eat before; and therefore it was thought adviſable to bring in ſeveral Perſons of Reputation who ſhould obſerve (him through a Hole, fit for the purpoſe) who after they had ſeen him Eat, examined him how long he had been a Faſter; and *he made ſigns, that he had faſted twelve Weeks, and clung up his Belly as a proof of his Emptineſs, according to his common Practice, though he had in their ſight juſt before eaten a plentiful Meal.* So that, Gentlemen, it is evident, that what he did was done Maliciouſly, and with a Deſign to deceive and impoſe upon the World: After this, there being ſufficient Proof of the Impoſture, it was thought fit to bring him before a Court of Juſtice; thereupon this Information was exhibited againſt him; and if we prove it, I doubt not but that you, Gentlemen of the Jury, will do that right to the Government, and to Religion, as to find him guilty of it, that he may be brought to the Puniſhment that ſuch a Crime deſerves.

Mr. *Phipps*, My Lord, I humbly pray your Lordſhips Indulgence of the ſame ſide, and beg leave to obſerve this Man was formerly troubled with Fits, and there was a Deſign laid by him and his Friends to create a belief in People that thoſe Fits were the effect of Sorcery and Witchcraft, but whether to get Money, or take away the Life of the Woman, or both, I ſubmit to your Lordſhips Judgment upon the Evidence: 'Tis certain they proceeded ſo far, as to bring her to a Tryal, and did what they could to take away her Life. And the better to carry on their Deſigns, and to prepare the World to believe the Impoſtor, we ſhall ſhew, that when he had theſe Fits, it was induſtriouſly publiſhed, that he was bewitcht, and that it was by this Woman, and if he could but ſcratch her he would be well. Dr. *Martin*, the Miniſter of the Pariſh, hearing of it, came to him, and to make an Experiment to diſcover the Impoſture, brought another Woman with the pretended Witch, and ſaid to *Hathaway*, If you think the ſcratching this Woman, meaning *Morduck*, the pretended Witch, will do you any good, hold up your Hand, which he did, then the Doctor put the other Womans Hand into his, and although at that time, he pretended to be Blind and Dumb, and he and his Friends would have had it thought that he lay under the ſtrongeſt of the the Old-womans Charms, yet he was apprehenſive of what he did, and ſo jealous leſt he ſhould be impoſed upon, and thereby his Impoſture diſcovered, that he felt ſeveral times from the Wriſt to the Elbow, to diſcover whether it was the Arm of the pretended Witch or no, before he would begin ſcratching, and then believing it to be hers, (it being much about the ſame Size) fell to ſcratching, and being told he had fetched Blood, his Eyes were immediately opened, and his Speech reſtored.

The Doctor thinking every body was convinced of this Impoſtor, and believing the poor Woman would be quiet for the future, went away.

But

But notwithſtanding this Detection, the People were diſſatisfied, and *Welling*, the Maſter of *Hathaway*, and others, being angry at the Diſcovery, purſued the Woman with more Malice than before; wherever they found her, and cried out, a Witch, and uſed her ſo barbarouſly, ſhe was forced to leave *Southwark*, where ſhe had lived many Years, and alſo her Employment, which had been profitable to her, and to go live in *London*.

Their Malice purſued her thither, and there *Hathaway* with Soldiers and others, in a riotous manner got into the Houſe where ſhe lodged, and would have broke open the Door where ſhe was, but a Conſtable being called in, the Soldiers went off, and *Hathaway* was carried before an Alderman of the City, and the poor Woman and her Friends acquainted the Alderman of the riotous and illegal Proceedings, and prayed that Juſtice might be done upon them: But inſtead of Puniſhing them, he was pleaſed to ſay there was too great provocation for what they had done, and giving credit to the Accuſation of *Hathaway* againſt the Woman, ordered her to be carried up Stairs to be ſearched, to ſee if ſhe had any Teats, or other Signs of a Witch, and permitted her to be ſcratched by *Hathaway*, and then committed her for a Witch, refuſing 500 *l.* Bail, and diſmiſſed *Hathaway*.

The Woman afterwards was brought to a Trial at *Guilford* Aſſizes, and was acquitted, and he was committed for a Cheat; and to make more ample Diſcovery of the Impoſture, he was taken to the Houſe of Mr. *Kenſey* a Chyrurgion, and there he was obſtinate, and would not Eat for the firſt two Days; and a Quarrel was fained between Mr. *Kenſey* and his Maid, he ſaying ſhe was as bad an Hypocrite as *Rich. Hathaway*; and gave her warning to be gone: The Maid ſeemed very angry with her Maſter, and ſaid to *Hathaway*, whatever you do, do not Eat any thing that is given you by my Maſter or his Brother, for they are your Enemies, and promiſed ſhe would help him privately to what he wanted; whereupon, he thinking ſhe had been his Friend, and that he was ſafe in her Hands, took Meat and Drink from her from Day to Day, and Eat heartily, and Drank ſo very plentifully of ſtrong Beer and Brandy, and was ſo merry that he play'd on the Tongs, and Danced, and ſhewed Tricks before the Maid, but when any body elſe offered him Meat or Drink he refuſed it, making ſigns that he could not ſwallow, and ſignified to them, that he Faſted all the Fourteen Days that he had been at *Kenſeys*, and that he had Faſted many Weeks before. And as to his vomiting Pins, it will appear to you, that he carried Papers of Pins in his Pocket, to make uſe of on occaſion. But when he vomited in a Baſon, and his Hands were kept down, and he not permitted to carry them up to the Baſon, there was not one Pin in the Baſon.

I will not trouble your Lordſhip with a detail of all the particular Inſtances of this Cheat, but will call our Witneſſes, and when we have proved the ſeveral matters that have been opened, there will be no room to doubt but that the Defendant is an Impoſtor, and the greateſt this Age hath produced.

Mr. *Coniers*. We will firſt call Dr. *Martin*, (who was ſworn) we will go on with our Evidence in the courſe of Time. The firſt time that notice was taken in the Pariſh of this Buſineſs, was in *September* was Twelve-Month. Dr. *Martin*, pray give my Lord, and the Jury an account, Whether you know *Richard Hathaway*, and when was the firſt diſcourſe of this Witchery.

Dr. *Martin*. *February* laſt was Twelve Month (the nineth Day to the beſt of my Remembrance) I came to Church in the Afternoon, and after the Curate was gone into the Desk to read Prayers, I was going into the Pew; but hearing a great hurly-burly in the Church, I ſent the Sexton to know what was the occaſion of it. He brought Word that there was a Witch in the Church; ſo the Curate could not go on in reading Prayers; and the Sexton went and brought in one *Sarah Morduck* to me; and after her came a great many of the People into the Veſtry; ſo that, tho' it be pretty large, it was preſently filled. And this *Sarah Morduck* came up to me, and told me what was the occaſion of her being brought there. I ask'd her how ſhe had behaved her ſelf amongſt her Neighbours, that ſhould give ſuch occaſion to deal thus with her. She began to cry, and ſaid, ſhe had given no occaſion for it. I told her, I had nothing to do to inquire into the Buſineſs, but bid her continue in the Veſtry, the whole Congregation being ſo much diſturbed, that they would go out of the Church if ſhe ſtaid in it. So I turned every Body out of the Veſtry, and locked her in. And Sermon being ended, I came into the Veſtry, but found ſhe was gone; and upon inquiry, I underſtood the Reaſon was this, The Sexton told me, that ſhe ſaid, if ſhe ſtaid till all the People went out, ſhe ſhould be torn in pieces, and beg'd of him to let her out while the Pſalm was ſinging after Sermon, that ſhe might go away undiſcern'd, and accordingly ſhe went. Afterwards many of my Pariſhioners made application to me to go to *Richard Hathaway*, who was ſuppoſed to be bewitch-

ed; and they told me, that it was taken very ill That I had defer'd it so long. Upon this I went to him the next Day, and meeting his Master below Stairs, I ask'd him what condition his Servant was in. He said, he was blind and Speechless, and was a very dismal Object. I said, I desire to be excused, for I did not love to see any dismal Sights. But he said, he was very sensible, and knew every one by their Voice. And with that, I went into the Room, and his Master (speaking to *Richard Hathaway*) said, Mr. *Martin* is come to see you. Says I, *Richard*, I am come to see you, and if you know me, hold up your Hand; he did so, and took me by the Hand and kiss'd it. I askt him whether I should pray with him in the Prayers of the Church, and if he desired it, I bid him hold up his Hand; he did so, and I prayed with him, and he did seem to be affected with it, and lifted up his Hands several times. Afterwards I took my leave of him, and went down; and I discoursing with his Master for some time: I asked him what he thought was the reason of it; he said, an evil Tongue, and a bad Woman, *Sarah Morduck*, had bewitched him. But how do you know that? His Master then told me he had scratch'd her, and found good by it; and said, he was utterly undone by it, and if I did not speak to the Church-wardens to take him off his Hands, he should be ruined. And hearing of this Scratching, it came into my Head to try an experiment too, so I went away, but without discovering my Intentions; and about Ten a Clock at Night, to prevent jealousies, I went to the House where *Sarah Morduck* lodged, and found she was gone to Bed. I left Word that I desired to speak with her the next Day; but instead of her coming to me, her Brother, Mr. *Herne*, came to me, and thanked me for preserving his Sister from the Mob. I gave him the reason why I did that, and I told him then, what I intended to do. He answered me, I am affraid my Sister will be so silly that it will fail in the Execution. I bid him leave that to me, I would give such directions in the Matter, that it was impossible for it to miscarry; so he left me to my liberty to do what I thought fit. Then, says I, when I send for her, do you come with her. I went to the House where *Hathaway* lay, and went into the Room, where he lay with his Eyes fast shut, and seemingly Speechless. I spoke to him, *I am informed you have received benefit by scratching* Sarah Morduck *formerly, now if I can get this Woman for you to scratch her, do you believe by scratching her you shall receive any Benefit? if you do, hold up your hand*; so he did; and by and by there came a Message that Mr. *Herne* and the Witch were come. I then desired Mr. *Bateman*, whom I brought with me for that purpose, to sit by the Beds-side while I went down, lest any might inform him what was said, or he might over-hear any thing spoken below. So he sate there, and I went down, and I bid them let in as many as would come in; and when the Room was full, the Door was lock'd. I had before met with a poor Woman, whom I ordered to follow me, who received Alms of the Parish, designing she should have been the Person the Experiment should be tried on. I told them I designed to try another Woman, and I will make him believe he scratches the Witch. The answer was, this will signifie nothing; *Wellings* Wife said he had scratcht another Woman, and it signified nothing; now this was, to the best of my remembrance, one *Willoughby*, who is a very big Woman, and very much unlike *Sarah Morduck*; but I desired the Satisfaction to see it done my self; upon which it was consented to: Then I asked the Woman I brought about it; I told her I would give her a Shilling if she would let this Man scratch her: She flew off, and said she would not suffer it for all the World. At last some body said, here is a Woman will suffer her self to be scratched, and this was one *Johnson*. I askt her if she would suffer her self to be scratcht, she said she would if there would come no damage by it; says I, whatever damage you sustain I will make it good to you; and you being about the size of *Sarah Morduck*, are a very fit Person. She did decline it for some time, but at last she consented, and after some Instructions given to her and *Morduck*, we went up together with many of the the Neighbours. *Tho' you cannot see*, says I to *Richard Hathaway, you can hear that there are many People in the Room, now before all these People, do you believe that* Sarah Morduck *has done you this Mischief? If you do, hold up your Hand*; he did so. *Do you believe you shall be relieved by scratching her? If you do, hold up your Hand*; he did hold up his Hand. Sarah Morduck, *do you speak to him, that he may know you are the Person?* Says she, *What is the matter with you? Do you believe this Woman,* said I, *to be the Person that has bewitched you? If you do, hold up your Hand*; he held up his Hand. Then I asked *Sarah Morduck*, Are you willing this Man shall scratch you? *Yes? With all my Heart, he shall have my Hearts Blood if it will do him any good.* Then, says I, pray give me your Hand? *Here it is.* And instead of taking her Hand, I took *Johnson's*, and clapt it into his; and I did observe that two or three times he felt from her Wrist to her Elbow, and I said, I have something else to do than to wait on you (and I spoke to him somewhat eagerly) if you will

not

not ſcratch I will be gone; then he ſcratcht her, and ſhe whiſpered me in the Ear, ſhe believ'd ſhe ſhould faint. I ſaw he had raized her Skin, and I ſaid, you have drawn Blood, and you may be ſatisfied; with that he left off, and turned on his Back in his Bed. I turn'd out *Johnſon* immediately, and I and *Morduck* ſtood together; and he lay ſtill for ſome time; but I ſaw nothing would do, if I did not work him up: Now, ſays I, I would fain ſee how his Eyes are now; come ſome of you, look, do not his Eyes twinkle? With that both his Eyes were as open as mine are now, and he caught hold of the Apron of *Sarah Morduck*, and look'd her in the Face. Then I told him his miſtake, and *Johnſon* came in with her Arm bleeding; ſays I this is the Woman you ſcratcht, you have not touched *Sarah Morduck*'s Arm, nor fetcht one Drop of Blood from her. The Fellow upon this ſeem'd very much caſt down. Now, ſays I, give way to no Humours, and go about your Buſineſs, and ſerve God and your Maſter. Then I went down, and ſeveral People were ſatisfied. Well, ſays I to *Welling*, your Man's Eyes are open now; It's well, ſays he, if his Eyes continue open. He can ſpeak and ſee too now. I do not know, ſays he, it is ſtrange if he ſhould do well after this. Farewel, ſaid I, and I went into *London*. Upon my return, about five a Clock, I enquired about him, and found *there was* a greater Mob in the Houſe than before, and I was accoſted at my firſt coming in by the Maſter and Miſtreſs of that Fellow; What have you done, you have ruined both me and my Family—

L. C. J. *Holt*. Who ſaid ſo?

Mr. *Martin*. The Maſter and Miſtreſs of this Fellow. Why, what hurt have I done you? You have given it out to be a Cheat. Did you get any Money by it? No, I never did expect it: But pray go and look on him now, he is in a worſe Condition than he was before. Here have been two Doctors, and they will take their Oath that he is Bewitched. So I went away, but as I went out, I was ſtopt by *Johnſon*, ſhe crys out, What have you done? What is the matter, ſaid I, does your Arm feſter? No, but this wicked Woman has ſpread abroad, that by ſcratching me he was relieved, and ſhe is not the Witch, but I am the Witch; and it had reacht her Husband's Ear, and he was become ſo jealous of her, that he would not have any thing to do with her. I went away after this, and going home met her Husband, and gave him all the ſatisfaction I could, that his Wife was no Witch. And I was informed the next Day, that *Sarah Morduck* had been drag'd again to the Houſe, ſome time after I went away, and brought to *Hathaway*'s Bedſide, and he ſcratcht her, and his Eyes were opened, and he Eat and Drank, and Walkt about; upon this, I ſent one Evening to him, to come to me; and I took him into my Study, and ſaid, What is the meaning of it, that you make ſuch a trouble in the Pariſh, to condemn this Woman for Witchery? I ſee no reaſon for it. Says he, She has done me a great deal of hurt, ſaid *Hathaway*, She has Bewitcht me; he ſaid, That was the Woman had done him all the Prejudice he laboured under. Then ſays I, You are a poor ſort of Fellow, you muſt get your Living by your Labour; now you had better go into the Country out of her reach. No Sir, ſays he, I am bound an Apprentice to my Maſter, and if I go, I ſhall be as bad there as I am here; and ſeeing I was bound here, this Pariſh muſt keep me; and if I ſhould go into the Country, they will ſend me back again. Why will you not try? No, I will not: Do you not believe I am Bewitcht? No, I do not. Then, ſays he, I may as well not believe what you ſay in the Pulpit; I may ſay to you, as our Saviour ſaid to the *Jews*, *Tho' you ſee Miracles, you will not believe.* Whereupon, I turn'd him away, and did not think I ſhould have had any thing more to do with him. But about *Eaſter* laſt, Sir *Thomas Lane* ſent to me, to deſire me to come to him; the Witch being then got into *London* for Shelter.

I went accordingly, and when I came, I found *Hathaway*, his Maſter, and ſeveral others there; I found him looking briskly, and eating heartily, and I ask'd the meaning of it. It was anſwered, That before Sir *Thomas Lane* he had drawn Blood of *Sarah Morduck*, and that had brought him to himſelf. I ſent in my Name to Sir *Thomas Lane*, and he ſent for me in; there was Sir *Owen Buckingham*, and I think, Dr. *Hamilton*. There were ſeveral People examined while I was there, about this Perſon, and after all, Sir *Thomas Lane* deſired me to tell what I knew in this matter. I gave an account of what I have done here. Says Sir *Tho. Lane*, *Richard Hathaway*, Do you know that Gentleman? Yes. How? I have ſeen him in the Pulpit. What, no where elſe? Did you not ſee him by your Bed-ſide? No. No, was not I with you at your Bed-ſide? No. All this while he was eating Bread and Cheeſe, till Sir *Thomas Lane* ſpoke to him, Lay by your Bread and Cheeſe, and be not ſo unmannerly. Says I, This is very unnaccountable, that he ſhould not know me, and yet he had ſaid, That after Mr. *Martin* was gone, I was a great deal worſe than I was before; this is a very unaccountable thing,

thing, and I desire to know how this is consistent; therefore I do desire his Master may be called in. And his Master was sent for, and *Hathaway* was going out to call him: No, says I, I desire he may not go out, I will call his Master my self. When *Welling* came in, I ask'd him whether he did not tell me that *Hathaway* was sensible from the time I came to him? Yes, he was. Now I desire to know how these things are consistent: And to put this out of doubt, that this Man did see me, the Woman stood at the side of the Bed by me, near the Feet, and he took hold of her Apron readily: How can he come off in this matter? Says Sir *Thomas Lane*. They tell you he had a most violent Fit after, and that made him forget what was done before. Another Question was asked Mr *Welling*, You know you desired me to get this Servant of yours off your Hands, and that I would speak to the Church-wardens about it: Now I am inform'd, this Servant of yours was going to *Goodmans-fields*, and as he was going, the Press-masters met him, and he being a likely Fellow, they whipt him aboard; is this true or no? Yes. And then you got a Letter, and went down and fetch'd him up. Yes. Then, says I, how came his Master to be so much concerned to be rid of him as he pretended, and yet when he might have been rid of his Servant, would not take the opportunity? To that Sir *Owen Buckingham* answered, It was only his Charity for him to fetch him from aboard; he could do no less, considering his Condition; so I came away. In a little time after, I heard that this *Sarah Morduck* was bound over to the Assizes, and I was Subpæna'd to give my Evidence the last Assizes at *Guilford*.

Then the Indictment was read, upon which *Sarah Morduck* was Tried and Acquitted of Bewitching *Richard Hathaway*.

Mr. *Coniers*. Dr. *Martin*, pray go on.

Mr. *Martin*. I was Subpæna'd to go to the Assizes: But before the Assizes came on, there were Bills put up in several Churches, and particularly at *Christ-Church*, where I hap'ned to Preach; I read the Bill, *A poor Man being afflicted by an evil Woman, now coming to her Trial, desires the Prayers of this Congregation.* I went down to *Guilford* to the Trial, and when I came up, I thought all People would be satisfied with the Justice that was done. But when I came to Town, I was abused by many People, both openly and privately: *You have the Blood of that innocent Man to lie at your Door*; *The Woman had been hang'd if you had not saved her*; *The Judgments of God will fall on you.* One Woman followed me to the Water-side, and said, I was the occasion of the Ruin of that innocent Man; for the her self——

L. C. J. *Holt*. Who is this?

Mr. *Martin*. I do not know her, I only give Evidence of the Abuses I underwent.

Mr. *Coniers*. Do you know any thing after the Assizes, how he behaved himself?

Mr. *Martin*. No, Sir, I know nothing of that.

Mr. S. *Jenner*. What was done by other People ought not to be given in Evidence.

Mr. *Broderick*. If this Man does prove an Impostor, it will aggravate his Crime; if the Consequence be mischievous, and the World be still abused with a perswasion that he was Bewitched.

Mr. Serj. *Jenner*. What was done by other People signifies nothing to us.

Mr. *Broderick*. This is very material, for it is a Confirmation that there was a Design carried on—— (*being interrupted.*

L. C. J. Holt to Serj. *Jenner*. What other People did, must not affect this Man. But hear what Answer can be given, you that are the Queens Council?

Mr. *Broderick*. The Charge of the Information is, That he as an Impostor, pretended himself to be bewitched by *Sarah Morduck*, to deceive the World and prejudice the Woman: And what can be more proper Evidence of that Charge, than that altho' he really was not bewitched, yet he had so prevailed upon the Opinions of the People, that they still believe him bewitched, and affronted Dr. *Martin* for being instrumental in her Acquittal: 'Tis all of a piece, a continuance of the same Imposture.

L. C. J. Holt. This Evidence is proper. He is Indicted for a Cheat for endeavouring to beget an Opinion in People by his fraudulent Practises that he is bewitched. Now Dr. *Martin* says, the People were still possessed with such a Belief, and thereupon affronted him, because they thought he was instrumental in having the Woman acquitted; Now, Is not this an Evidence that his pretending himself to be bewitched begat that Opinion in the People?

Mr. Serj. *Jenner*. What the Dr. has said all along has been of what others have done.

L. C. J. Holt. No, it has been what he saw himself. You say this Man's Evidence is most of what others have said; not so, He has by himself prayed with him, and tried an Experiment with him upon a wrong Woman.

Mr. Serj.

Mr. Serj. *Jenner*. He tells you what *Welling* ſaid, and others, How does this affect my Client, what another Man, or another Woman ſaid?

L. C. J. Holt. He was inſulted upon the account that *Hathaway* pretended himſelf to be bewitched, blind, ſpeechleſs, and not able to eat.

Mr. Serj. *Jenner*. My Lord, with ſubmiſſion, other Peoples cenſuring the Doctor cannot be brought as Evidence againſt my Client, unleſs they make it appear that he had a hand in it, unleſs he put them upon it.

L. C. J. Holt. What other People have ſaid, abſtractedly conſidered, ought not to affect *Richard Hathaway*; but if there be Evidence that *Hathaway* hath been guilty of deceit, and a deſign to deceive People, will you not allow it to be given in Evidence that People have been deceived? And how came they to be deceived but by his feigning himſelf to be bewitched?

*Jury Man*. Mr. Serjeant, If you have any thing to object, we deſire to hear what you ſay, for you ſpeak ſo low we cannot hear you.

Mr. Serj. *Jenner*. I object to what the Doctor ſays by hearſay only.

*Jury Man*. I believe that will be little conſidered by the Jury.

L. C. J. Holt. The Information is for an Impoſtor and Cheat; Now what is that? A Cheat is a deſign to impoſe on the credulity of others, to induce them to believe a thing that is not true. Now Dr. *Martin*'s Evidence is what *Hathaway* did, and that People did believe him to be bewitched, and they abuſed Mr. *Martin*, and told him he had done very ill in the Caſe of this Woman, and if it had not been for him ſhe had been Condemned.

Mr. *Martin*. I have only one thing more to ſay, it was reported that I had been bribed; I was told I had received ſeveral Guineas; that the Judge was bribed, and the Jury brib'd, and the Judge would not ſuffer the Woman to be ſearched, he being brib'd.

Mr. *Coniers*. Doctor, have you done? Mr. *Martin*. I have.

Mr. *Coniers*. We will next call Mrs. *Johnſon*, who was ſcratched.

Mr. *Broderick*. Sir, I think you mentioned a Gentleman that you ſent for up? Where is he? Mr. *Martin*. He is here.

Mr. *Broderick*. What is his Name? Mr. *Martin*. Mr. *Bateman*.

Mr. *Broderick*. We will call him to give an account of that.

Mr. *Coniers*. We will firſt call this Woman. Mrs. *Johnſon*, were you at any time with Dr. *Martin* at ſuch time as *Hathaway* pretended to be bewitched?

Mrs. *Johnſon*. Yes.

Mr. *Coniers*. Then pray give my Lord and the Jury an account of what you know about it. Mrs. *Johnſon*. I went into the Room to ſee *Sarah Morduck*.

Mr. *Coniers*. What Room?

Mrs. *Johnſon*. I was in the Room where Dr. *Martin* fetcht her to be ſcratcht; and Dr. *Martin* told me he deſigned that he ſhould ſcratch ſome other VVoman, and he deſired me to let him ſcratch me; but I denied him, and ſaid, I I was a Wife, and was not willing: At laſt I conſented, and he told me I muſt not ſpeak when I came into the Room where *Hathaway* was; and he brought me to the Fellow, and he ſaid to him, If you think the Blood of this *Sarah Morduck* will do you any good, hold up your Hand? which he did. Then he bid *Sarah Morduck* ſpeak to him, which ſhe did. Says he, Are you willing this Man ſhould ſcratch you? ſhe ſaid, yes, my Hearts Blood if it will do him good. So with that he ſcratcht me, and *Sarah Morduck* cry'd out, He had raized the Skin off my Arm, but no Blood came preſently. Dr. *Martin* deſired me not to ſpeak, and I did not; the Blood came afterwards, but none then.

Mr. *Coniers*. Were you in the Room when the Doctor ſpoke to him?

Mrs. *Johnſon*. I went into the other Room, Dr. *Martin* put me out before him.

Mr. *Coniers*. Was you not brought in again?

Mrs. *Johnſon*. No, I went in of my own accord.

Mr. *Coniers*. In what condition was he then?

Mrs. *Johnſon*. He look'd in this manner, his Eyes ſtaring open.

L. C. J *Holt*. Were his Eyes ſhut when you firſt came and was ſcratcht, or open?

Mrs. *Johnſon*. No, they were faſt ſhut. L. C J. *Holt*. Did he ſpeak then?

Mrs. *Johnſon*. No, he ſaid nothing when I came back till his Eyes were open, and then he ſaid, O *Chriſt Jeſus*, or O *Lord Jeſus!*

Mr. *Phipps*. But did he feel your Arm before he ſcratcht you.

Mrs. *Johnſon*. Yes, over and over.

Mr. *Coniers*. Call *William Bateman* (who appeared, and was ſworn) Pray give an account what you know of this Defendants vomiting Pins.

*Will. Bateman*. About a Twelve month ago I went to ſee *Richard Hathaway*.

Mr. *Coniers*. Were you deſired to go to him by Dr. *Martin*?

*Will. Bateman*. I can't remember that. L. C. J. *Holt*. Where do you live?

*Will. Bateman*. In *Pembrokeſhire*.

Mr. *Coniers.* Then you do not remember any thing that paſt then.

*Will. Bateman.* I do not ſay I do not remember any thing, but I do not remember whether Dr. *Martin* deſired me to go to him.

Mr. *Coniers.* Give an account of what you know about his vomiting Pins.

*Will. Bateman.* About this time Twelve month, on a Sunday Night, a Woman came to Dr. *Martin*'s Houſe to inquire for him; I went to the Door, and the Woman ſaid, if Dr. *Martin* would but come now, he might ſee *Hathaway* vomit Pins. Can I ſee him? ſays I; Yes, ſays ſhe. So I went immediately, and in the Houſe there were little Chinks that I could ſee thro', and I ſaw him walk about the Houſe, and heard him talk to the People, and I ſtood ſome time to hear him. At laſt I knock'd, and he came and let me in; and ſeeing me he ſeemed to be troubled, and feigned himſelf to be in ſome Pain.

Mr. *Raimond.* You ſay you look'd through the Chink, how was he then? repeat that. *Will. Bateman.* He ſeemed to be as well as he is now.

Mr. *Raimond.* What did you do then?

*Will. Bateman.* I knocked, and he let me in, and when I came where the light was he knew me; and I ſaid to him, I hear you ſpew Pins. Yes, ſays he: Says I, prethee let me ſee thee. So he ſate on a low Seat, and they gave him ſomething in a Cup, and by drinking this I was to ſee him vomit Pins; and he took ſome Drink, but as far as I could perceive he did not ſwallow any.

Mr. *Coniers.* What was the effect of it?

*Will. Bateman.* He pretended then to be in an Agony, and vomited ſeveral times, and there were Pins on the Ground. I had the Room ſwept very clean, and gave him the ſame again. He vomited again, and there were abundance of Pins on the Ground again; I believe he vomited fourteen or fifteen times, and I believe there were ſome hundreds of Pins on the Ground; but I thought the Pins were dropt from one or other, and I took up ſome of them, and they were dry, and I took up two or three in a Chain; and I ſaid, I believed thoſe were the Pins that were ſhewn at our Houſe. No, no, ſays his Maſter, theſe are not the ſame; and he did endeavour to ſatisfie me that he did vomit theſe Pins: So I deſired he might have a Pot to vomit in, and I had a Pot brought, and made very clean, and I ſearch'd his Mouth and found no Pins there; and I held the Pot to his Mouth cloſe, and he often endeavoured to put his Hand to the Pot, and I would not ſuffer him, for I perceived his Hands often moving to his Pocket. He vomited ſeveral times, and there were ſome Pins ſcattered on the Ground, but none in the Chamber-pot. Says I, theſe Pins do not come out of his Mouth, but the People were very preſſing on me to believe they did.

L. C. J. *Holt.* Who were they?

*Will. Bateman.* They were all Strangers to me.

Upon this I told them I believed he had a ſlight of Hand to convey them there, and I took hold of his Pocket: He ſtopt my Hand, and would not let me put my Hand into it. But after ſome time, ſays one, let him, let him ſearch your Pocket. So I did, and took out ſeveral things, and among the reſt ſeveral parcels of of Pins, and I believe theſe were they that he convey'd on the Ground.

L. C. J. *Holt.* Did you ſee him take them out of his Pocket?

*Will. Bateman,* No, but I took out ſeveral hundred.

Jury-man. What ſort of ſhape were they of?

*Will. Bateman.* They were of a very odd kind of ſhape.

L. C. J. *Holt.* Were they ſtraight, or crooked?

*Will. Bateman.* They were crooked in ſtrange Figures, like them on the Floor.

Mr. *Broderick.* And he made a great difficulty of letting you meddle with his Pocket.

*Will. Bateman.* Yes.

Mr. *Phipps.* And when you would not let him put his Hand to the Pot, there were none in the Pot, but only on the Ground?

*Will. Bateman.* Yes Sir.

*Jury-man.* Did you ſee any Pins, come out of his Mouth?

*Will. Bateman.* No Sir.

Mr. *S. Jenner.* What became of the Pins you ſaw on the Ground; you ſay you ſaw abundance, what became of them?

*Will. Bateman.* They were ſwept away.

Mr. *S. Jenner.* Who ſwept them away?

*Will. Bateman.* Some of the Family.

*Jury-man.* I think he ſays that ſeveral of the Pins were taken up dry, were any of the Pins that were on the Ground dry?

*Will.*

*Will. Bateman.* Yes, and I ſaid, theſe Pins did not come from him.

Mr. Ser. *Jenner.* When was this?

*Will. Bateman.* About a Twelve Month ago.

Mr. *Braderick.* Now, my Lord, we will ſhew your Lordſhip that he drew up a Narrative for the Preſs, giving an Account of this Buſineſs. Call *Rich. Ball* (who was Sworn) Mr. *Ball*, Pray give an account what you know of *Rich. Hathaway*'s endeavouring to Print a Story of his Vomiting of Pins.

*Rich. Ball.* About a Twelvemonth ago in *December*, *Richard Hathaway* brought a Writing, and withal a Diſhful of crooked Pins, and told us, thoſe Pins he had Vomitted, and that he had been afflicted by a Woman in *Southwark*, and I think he ſaid he had not eat any Thing from my Lord Mayor's Day.

Mr. *Braderick.* What did he deſire you to do?

*R. Ball.* To Print his Paper. And after he had told this Story, he ſaid he had been with a Woman in *Good-mans-fields.* There was a Boy with him. And he deſired us to Print his Paper. It related the Story of his Vomiting of Pins. He ſaid he had taken *Quickſilver*, and it wou'd not move him; and Madam *Goodwin* was mentioned ſeveral times in the Papers, that ſhe had cured him.

Mr. *Coniers.* How came it that you did not Print his Paper?

*R. Ball.* My Maſter ſtood by, ſays he, you look very well, I will have nothing to do with it, I believe you are a Cheat. I believe no ſuch thing, ſays he, and upon that went away. But the next Day there was a Paper Printed by ſome body; and *R. Hathaway* comes to us afterwards, and ſays, You have Printed a Paper, tho you would not have it of Me; but it is not true, ſays he, I can give a better Account.

Mr. *Braderick.* Then he talked very freely to you, tho he had not eat in Six Weeks before. *R. Ball.* Yes Sir. Mr. *Braderick.* And he look'd very well.

*R. Ball.* Yes Sir, and we wonder'd at it.

Mr. *Coniers.* Call Mr. *Hearne* (who was ſworn) Mr. *Hearne*, pray give my Lord and the Jury an account what you know of this Matter.

Mr. *Hearne.* About *September* was Twelve Month, my Siſter was fall'n upon by this *Hathaway*, and Scratch'd and Abuſed in a Barbarous Manner: and about Six Weeks after ſhe was Scratch'd again. After this, we went before Juſtice *Riches*, and Juſtice *Riches* perſwaded them to be quiet, and not to trouble this Woman, and he perſwaded her to remove to ſome other place. After this, there was a Tumult made about her in *Newgate-ſtreet.* Mr. *Coniers.* Were not you preſent when Dr. *Martyn* was with the Defendant. Mr. *Hearne.* Yes Sir.

Mr. *Coniers.* Then give an Account of that.

Mr. *Herne.* I went to Dr. *Martyn*, and Dr. *Martyn* told me that he would try a Stratagem, (to ſee whether he was bewitch'd,) by making him Scratch another Woman. I told him, I was afraid we ſhould be betray'd. Says he, let me alone to manage it, So I ſaid no more. Says he, do you go and fetch *Sarah Morduck* to me, and I will go before. So I came with my Siſter to *Welling*'s Houſe, where Dr. *Martyn* was, and there was a Houſe full of People: And then he ordered the Door to be ſhut. And then Dr. *Martyn* left me at the Bed-ſide, and he got a Woman that was willing to be ſcratcht. She refuſed at firſt, but afterwards conſented. And then Dr. *Martyn* brought them into the Room where *Harthaway* was, and he ask'd him if he did believe that Scratching of *Sarah Morduck* would do him any Good, if he did, he ſhould hold up his Hand; and he held up both Hands. Says he then to *Sarah Morduck*, Are you willing to be ſcratcht? Yes, her Hearts Blood to do him Good. Then give me your Hand, ſays he; but inſtead of hers he took Mrs. *Johnſon*'s Hand, and gave it into *Hathaway*'s Hand. And *Hathaway* took her by the Wriſt, and felt her ſeveral times: Then ſays Dr. *Martyn*, If you will ſcratch her, ſcratch her, I cannot wait on you always. Then he fell to work, and Dr. *Martyn* ſaid, he will open his Eyes preſently, there is Blood enough; and he preſently opens his Eyes, and catches *Sarah Morduck* by the Apron, and holds her as faſt as he cold, and the Woman that was ſcratcht was gone into the other Room; with all the Strength I had, I cou'd hardly looſen his Hands from *Sarah Morduck.* Now, ſays Dr. *Martyn*, you are miſtaken, this is not the Woman you ſcratcht. And then his Countenance chang'd, and he look'd like a Fool, he was ſo ſurprized. Then ſays Dr. *Martyn*, where is the Woman that he ſcratch'd; and I fetcht *Johnſon* out of the other Room, and ſhow'd him her Arm, that ſhe was the Woman he had ſcratcht. Says Dr. *Martyn*, I ſee what you are, go and mind your Buſineſs, or to that effect; and then we went away. This was about Twelve or One a Clock the 11*th* of *February.* And when we were gone, the ſame Day, as ſoon as it was Dark, they got half a Dozen luſty Fellows to go to *Sarah Morducks* Houſe, and there they abuſed her.

L. C. J. *Holt.* How do you know that, did you ſee it? Mr. *Herne.* My Lord, I will tell you preſently. When ſhe had had this Miſchief, ſhe ſent for me; and when

I came, her Shift on her Back was as wet as Muck. She ſent for me, becauſe ſhe had none to aſſiſt her but me, and I found her that Night in that pickle, They ſaid ; as ſoon as we were gone, the Fellow was bad again, and they have put this trick upon us ; but we will have the right Witch to ſcratch her.

L. C. J. *Holt.* Who was at the Houſe that Night that you ſay ſhe was in an ill Condition. Mr. *Herne.* There were ſeveral at the Houſe then, Mrs. *Sarah Hays* the Landlady was there, and others. L. C. J. *Holt.* You ſay they were in a Hubbub, and would have the right Woman ſcratch'd ; who was it that would have it ſo? Mr. *Herne.* I heard ſo. But when I came to her, I foud her in a lamentable Condition. Then I went to Juſtice *Riches*, and deſired his Warrant to take ſome of them, and he granted it, and I took up one *Osburn* ; and when I came with him to Juſtice *Riches*, we had no body to ſwear that ſhe was lame a Bed, and ſo he was diſcharged ; and Juſtice *Riches* ſaid, If there be no other to prove it on the Tryal, you will ſpend a great deal of Mony to no purpoſe, and therefore he let him go. So ſhe was removed to *Paul's Wharfe*, but a Company of Fellows follow'd her thither.

L. C. J. *Holt.* How do you prove that? Mr. *Herne.* I heard of it, and I deſired the Landlord to ſend for a Conſtable ; he did ſo, and when we came there all the People made their eſcape, except *Hathaway* and another Perſon. So then ſhe was carried before Sir *Tho. Lane* ; and they telling him that he had Vomitted Pins, and other Things, Sir *Thomas* was perſwaded to believe it. I told him theſe Fellows had diſturbed this Woman's Peace, and very much abuſed her, Sir *Thomas*, Will you not let me know who this Man is? L. C. J. *Holt.* What Man do you mean?

Mr. *Herne. Jones*, I beg'd, Pray let me know this Fellow's Name : Says he, it is no matter, there was Provocation enough. And then when we were talking of the Pins, Dr *Hamilton* lookt in *Hathaway*'s Mouth, aud found his Mouth very well ; and he gave him Beer, and he, when he had taken it, ſtrugled with all his Might to keep it out ; then he cried out, Let her be ſcratch'd, ſaid Sir *Thomas*. Dr. *Hamilton* ſaid, forbear a little, let us ſee the effect of this Beer, and ſo they forbore a little longer. Then they talked again of the Pins, and Dr. *Hamilton* would have her ſcratch'd again ; ſo he ſpake to the Woman about it, but ſhe would not conſcent, for ſhe ſaid ſhe had been abuſed, and would not be ſcratch'd, unleſs they would ſecure her for the future. But Sir *Thomas* would have her ſcratch'd, and ſo ſhe was ; and then when ſhe was ſcratch'd, and he had drawn her Blood, the Fellow bruſtled about like a Cock-Sparrow : And then they call'd for Bread and Cheeſe, and ſo he that before pretended he could not ſwallow any thing, ſhow'd like an Antick to the People, for he was very greedy. And when he had eaten that, he call'd for more ; and *Welling* ſaid pray let him not have it, it will do him hurt, becauſe he has not eat ſo long. Then Sir *Thomas Lane* order'd her to be ſtript, and ſhe was ſtript above ſtairs, and then he would commit her to Priſon.

L. C. J. *Holt.* Why? Did any body ſay ſhe had any thing extraordinary about her?

Mr. *Herne.* No ; Dr. *Hamilton* ſaid ſhe had nothing about her, I offered a Hundred Pound Security for her, and Sir *Tho. Lane* would not take it. But when Dr. *Martyn* had been with him at Night, I Bail'd her out. Mr. Bar. *Hatſell.* Was this *Hathaway* Dumb when he was at Sir *Tho. Lanes?* Mr. *Herne.* He ſpoke before, and when Sir *Tho. Lane* bound her over to the *Old-Baly*, and all that time he was as well as could be. Mr. S. *Jenner.* Was you at the Aſſizes at *Guilford*?

Mr. *Herne.* Yes, and gave Teſtimony for her there. Mr. *Coniers.* My Lord, we have a great many others that were preſent with Dr. *Martyn* ; but we have proved that Matter ſufficiently. Now we will ſhow how he behaved himſelf at Mr. *Kenſy's.* Call Mr. *Kenſy* (who appeared, and was ſworn) Mr. *Kenſy*, Do you know *Richard Hathaway?* Mr. *Kenſy.* Yes. Mr. *Coniers.* Was he not committed to your care?

Mr. *Kenſy.* Yes. Mr. *Coniers.* When was it? Mr. *Kenſy.* In *November* laſt.

Mr. *Coniers.* Now pray give my Lord and the Jury an Account of what you know of his Faſting. Mr. *Kenſy.* He was brought to my Houſe the Firſt of *November* laſt about Noon. I went to ſee him at the King's Bench, where about 9 in the Morning I found him in Bed. The Servants in the Priſon told me his Tongue was ſwell'd. At my Requeſt he put out his Tongue, which I found in a very good State and Colour, free from any Induration or Contraction. I obſerv'd the Glands under the Tongue, alſo his Throat, ſo far as I could ſee, free from any preternatural Accident or Impediment. He was brought to my Houſe about Twelve the ſame Day. I kept him in the Room where we dined, and offer'd him Meat and Drink ſeveral times, which he refuſed. About eight at Night we put him to Bed, and took his Cloaths out of his Chamber. The next Morning we offer'd him meat again, and he refuſed to eat ; and we brought him his Cloaths, and he was ſurly and wou'd not riſe. At Night I offer'd him a Glaſs of Cordial, which he alſo refuſed. At the ſame time we found his

Rug

Rug wet, which we discovered to be his Urine dropping through the Tester of the Bed, he having hid his Urine upon it in the cover of a large Box, through which it dreined. And I threatned to discover him, and said, pray discover who set you to work in this matter, I look on you as a poor innocent Fellow, and that you are set on by others that have more wit; but he would discover nothing. The next morning I forced him to rise, and I found him resolute in his humour of fasting; I found perswasions and promises of a pardon could not prevail, nor threatnings that I would starve him if he would not confess; so I feigned a quarrel with my Maid, and railed at her in his presence, saying she was as very a Hypocrite as *R. Hathaway*, and that I would be troubled no more with her. And I order'd her, so soon as my Back was turn'd to rail against me as bad as she could, and charge him not to take any thing from me or my Brother, for she alone would take care to feed him. After this we took him up every day, and contrived places and holes whereby we discovered him to eat and drink heartily, sometimes three times a day, he thinking no body was witness to it but the Servant. Particularly one day I had Fish and Oisters for Dinner, and I ordered the Maid to give him some, and to give him strong Beer and Brandy too, and he eat an drank freely. And afterwards he brought up his Dinner, and I coming in, told him I was glad the Witch was found out at my house, and I told him to morrow I would find out the Pins and Needles. He took the Poker, and raked the Ashes over it, that it might not be seen what he had vomited.

L. C. J. *Holt*. But did he know that you saw him eat?

Mr. *Kensy*. No, my Lord. The next day I offer'd him something to eat, to see if I could make him speak. But he pretended to be so faint that he could not get off his Chair, this was after he had eat several days. And he danced and play'd on the Tongs.

L. C. J. *Holt*. But you did not see him drink?

Mr. *Kensy*. Yes my Lord. L. C. J. *Holt*. But did he know you saw him?

Mr. *Kensy*. He thought no body saw him but the Maid, but I saw him drink.

Mr. *Broderick*. How did you see him? Mr. *Kensy*. I hid my self in a dark place in my own Buttery, and did see him eat and drink several times. I did not see him eat every day. But the 8*th* day he endeavour'd to make his escape. My Brother and my Sons went into his Chamber with his Cloaths, and *Hathaway* having dress'd himself, watch'd his Opportunity, and jumpt out of the Room, and bolted them in. But they staying so long, I sent the Maid up, and she met him stealing down stairs, and then he went back again and let them out. On *Monday* the 10*th* I gave him his Cloaths, and I being alone, he had not Patience to dress himself, but immediately seized me; but strugling with him, he pretended feebleness, and fell on the Bed. Mr. *Coniers*. Can you give account of any thing afterwards?

Mr. *Kensy*. Yes. Mr. *Coniers*. What discourse had you with him then?

Mr. *Kensy*. I will tell you. He was very surly. That was the first day he spoke. I came too him, and told him he was a Fool, that his Friends were in custody, and had not been true to him, but had discovered the whole matter; and advised him to make a discovery himself, and if he would, I would go with him to my L. C. Justice. Upon that he cried passionately, and said he would tell the L. C. Justice the whole truth. But my Lord not being at his Chamber, he in about an hour recanted, and said he was bewitch'd. When he cried, he ask'd if his Mother was safe.

Mr. *Coniers*. Did he at any time tell you how long he had fasted?

Mr. *Kensy*. Yes. He made signs that he had fasted several times when we had seen him eat, and he took his Cloaths, and wrapt them over him. And I said to him, how long hast thou fasted before you came to my House. He made signs that he had fasted 10 Weeks. L. C. J. *Holt*. Did he pretend to be Dumb!

Mr. *Kansy*. Yes. And I ask'd him how long he had fasted at my House; and he pointed two more. Mr. *Coniers*. You say he made signs that he had fasted 10 Weeks before he came to your House, and two Weeks while he was there. Now how often did you see him eat at your House after the two first days?

Mr. *Kensy*. I saw him eat several times at Noon and Night. And after I had seen him eat, I would have perswaded him to eat, and he made signs still as if he could not eat, and shook his Head. Mr. S. *Jenner*. How did you know what he mean'd by shaking his Head? L. C. J. *Holt*. How did you know what he meant by his counting? How did you know that he mean'd Weeks?

M. *Kensy*. He counted upon his Fingers, my Lord. I ask'd him how many Weeks he had fasted before he came to my House, and he counted ten Fingers; and how long he had fasted at my House, and he counted two more. And I ask'd him whether he had fasted 12 Weeks then, and he made signs of 12.

Mr. S. *Jenner*. You say he was dumb, and yet could hear. Mr. *Kensy*. Yes.

Mr. S. *Jenner*. How is that likely, that he should hear, and yet was dumb.

L. C. J.

L. C. J. *Holt.* Cannot a man hear, tho he be dumb? Mr. *Coniers.* Call *Elizabeth Baker*, where is ſhe? (ſhe was ſworn) Were you a ſervant to Mr. *Kenſy* when this Man was at his houſe? *Eliz. Baker.* Yes I was. Mr. *Coniers.* Then pray tell my Lord and the Jury what you know of him. *E. Baker. Richard Hathaway* came to my Maſters Houſe about twelve a clock on *Saturday.* When we went to dinner at one a clock, my Maſter offer'd him Meat and Broth, and he refuſed it; he was ask'd to eat ſeveral times, but ſtill refuſed it. They ask'd him again at night, and he ſhook his head, and would not eat. And when he went to Bed, we took his his Cloaths, and lock'd him in. And the next day he refuſed to riſe, and at noon they went to ſee if he would eat any thing, and offer'd him a glaſs of Sack, and he refuſed it. And on Munday Morning he was ask'd to riſe again, and he would not; but my Maſter would have him riſe, and would have him come down and ſit by the Fire, and when he was come down, ask'd him to eat, but he would not. And at laſt he look'd in his Mouth, and ſaid he ſaw nothing but that he might eat and drink if he would. And my Maſter ſaid to me, when I am with him I will call you up, and take an occaſion to fall out with you, and when I am gone do you rail at me, and tell him he ſhould take nothing of me or my Brother. And ſo I did, I ſaid my Maſter call'd me Prsbyterian Jade, but I ſaid I did not know what Religion he was of; and that he was not more willing to have me go, than I was to be gone. And I told him he ſhould take nothing of my Maſter or his Brother, I would look after him while I ſtay'd. So I went out of the Room, and fetcht a glaſs of Brandy, and gave it him. But there was a Child with me, and he refuſed to drink it, with a Sign pointing to the Child; ſo I ſaid I would hide the Child, and I ſtood between him and the Child; and then he drank it. And the ſame day I gave him ſome Pudding and ſmall Beer; and at night I carry'd him a pint of Ale and a Toaſt, but found he had not eat the Pudding: I ſaw him eat the Toaſt and drink the Ale; but I did not ſee him eat the Pudding, tho' I ſuppoſe he eat it afterwards, for I ſaw it no more.

*Jury Man.* In what manner did you convey this Proviſion to him?

E. *Baker.* My Maſter gave me the Key, and I went in and ſtay'd while he eat and drank, and I made him believe I had got the Key by ſtealth. And I gave him a glaſs of Brandy on Munday night, and he drank it. And the next day he eat and drank, he drank ſome Broth, and eat boyled Mutton at Noon; and at Night he eat a chop of Mutton, Bread and Cheeſe, and drank Beer and Brandy. On Wedneſday we had a Shoulder of Mutton roaſted, and after they had dined I gave him a plate of Meat, and he eat it in the Kitchin with me, and drank freely. And ſo he did every day after while he was at our houſe.

Mr. *Coniers.* Did any ever ſee him eat beſides your ſelf? E. *Baker.* Yes. That day that we had Fiſh, he was in the Kitchin, and being there he went and waſh'd his hands, and I gave him a plate of Fiſh, and ſet it by him; and he took it, and eat it. And I gave him a Bottle of Stout, and told him it was my Birth day, and he muſt drink my health; and after he had drunk it, he poin'd to his forehead, ſignifying it was got into his Head; snd about two hours after he was very merry, and danced about, and took the Tongs and playd upon them. But after that he was mighty ſick, and vomited ſadly. And ſays my Maſters Brother we ſhall ſee the Pins and Needles now. And to hide it he falls a pulling the Fire over it. Mr. *Coniers.* Did any of the Neighbours ſee him eat? E. *Baker.* The 11*th* day of the ſame Month we had a Shoulder of Veal for Dinner, and after Dinner my Maſter bid me ſet ſome by for him, and he would have ſome Genlemen to ſee him eat it. They were accordingly hid in the Buttery and Coal-hole, and *Richard Hathaway* was brought down, and he took his Bread and Meat, and eat heartily, and drank with it.

Mr. *Raymond.* Who were thoſe Gentlemen that ſaw him eat? E. *Baker.* Mr. *Collet*, Mr. *Norbery*, Mr. *Page*, and Mr. *Stanton.* Mr. *Coniers.* Theſe Perſons are here. Mr. S *Jenner.* My Lord, all this is of what was done after the Tryal, this Evidence ought not not to be given; the Record bears date the firſt day of the Term and all this is ſaid to be done in *November*, it is all after the Record.

L. C. J. *Holt.* It is to prove the Impoſture committed before now, what Mr. *Kenſy* ſays of his pretending to faſt twelve Weeks, tho two or more be not within the time of the Information, I hope they may give it as evidence ſubſequent to prove what was done before. Mr. S. *Jenner.* But I oppoſe all this of eating at their Houſe.

L. C. J. *Holt.* It is an Evidence of his cheating ſince that time, and that out of the Information; but it is an Evidence alſo to prove that his pretended faſting before was a meer deceit, for he then pretended to have faſted 10 Weeks before he came thither, and after pretends to continue faſting in the ſame manner, if that be proved to be a fraud, it is ſtrongly to be inferred that his pretended faſting before was ſo too.

Mr. S. *Jenner.* But then they may not give Evidence in matter after.

L. C. J. *Holt.* Matter afterwards that proves a thing done before: for if a Confeſſion be made ſubſequent to an Indictment for a crime, ſhall not that confeſſion after be brought as Evidence of the thing done before? Sure it may. Mr. *S.*

Mr. S. *Jenner*. And will that prove what was done before?

L. C. Justice *Holt*. It is certainly so. The thing is whether I can give in Evidence any thing after to prove what was done before; If he pretends to fast Twelve Weeks, Ten Weeks before he came there, and the Two Weeks after; he did not fast but only pretended it: Whether what he did after be not Evidence of what he did before. Sure it is. For he that cannot hold out fasting two Weeks, but was glad to eat, tho he pretended to fast, may strongly be presumed to have eaten during the Ten Weeks, tho then he pretended to fast.

Mr. *Coniers*. Call Mr. *Stanton*, (who appear'd) was you at Mr. *Kensey*'s House to see *Richard Hathaway* eat? Mr. *Stanton*. Yes, Mr. *Kersey* came to me 11*th* of *November*, and desired me to come to his House, to see whether he eat or Drank or not; and I went, and was put into a dark place, and I saw the Victuals before he was brought, there was five slices of Meat, and Bread, and Beer. And he was brought where it was, and he look'd about him earnestly to see if any one saw him, and then he fell to, and eat as heartily as any Man could. And hearing a noise whilst he was eating, he run away with it and set it on the Dresser. The Maid said there is no body coming, and then he went to it again, and eat it up, and drank the Drink, and sate down by the Fire. And afterwards we went to him, and carried a Bottle of Drink with us, and Drank to him; But he made Signs that he could not Drink, and show'd us that his Belly clung to his Back, which we thought was very strange.

Mr. *Coniers*. Call *Matthew Shipps* and ——— *Baxter*. (They did not appear.) *Jo. Hunt*, (he was sworn) My Lord, we call this Man to give you an Account of the strange Noises that they pretended were heard in Mr. *Welling's* House, and we will make it appear how that noise came. Mr. *Hunt*, pray give an account what you know in this matter. *Jo. Hunt*. My Lord, an Acquaintance of mine, one *Kelpin*, told me that he had watch'd with *Rich. Hathaway* one Night, and the next day he came to me, and told me he fell asleep, and had not watch'd him as he ought, and desired me to set up with him, and to observe him as narrowly as I could, and see if I could find any Deceit in him. Accordingly I did so, and when I came into the Room I sate down on the Bed-side. There were Two Gentlemen in the Room, Mr. *Pocock*, and Mr. *Butler*, and *Thomas Welling*. He lay as if he were almost Dead. In a little time his Master, *Tho. Welling*, brought in some Pins in a Coffee-dish, and said he had brought them up that day, and that he believed he would bring up more. And after this seeing of the Pins, I went to Mr. *Pocock*, and said, I did imagin the Pins might lie in his Mouth rather than in his Stomach, and therefore it was very proper to have his Mouth searched. And Mr. *Pocock* replyed, who will venture to do it? And I said, If they would wash the Fire Poker clean, and put it into his Mouth, to prevent his biting my Finger, I would do it. Immediately upon this *Hathaway* raised himself, and began to make a Reaching as tho he would Vomit; and then *Welling* and his Wife said, now he is going to bring up Pins. Thereupon I kneeled down by the Bed side with a Candle in my Hand to observe his Motions; and after he had strain'd some times, he made a Motion with his Tongue at each side of his Mouth, but I could not perceive any thing come up his Throat tho his Mouth was wide open; and by and by he drew up his Mouth, and turned out two or three bright Pins, and presenly after two more, which I catch'd in my Hands and shew'd them to the Company, saying, they are bright and new; and his Master said he believed they came out of some Chandlers Shop. Afterwards *Hathaway* lay down very quiet, and so continued for some time. And *Wellings* Wife coming into the Room, ask'd why the Charms were not put on. I reply'd, I have been told the Charms have been always taken off from him by the Witch, but was resolved to watch so narrowly that Night that they should not be taken from him. Then *Welling* and his Wife offering to put on the Charms, *Hathaway* made a strugling as tho he was unwilling to have them on; and *Welling* said, you have always found Benefit by it, Why will you not? They are order'd by Mr. *Butler*.

L. C. J. *Holt*. What were those Charms? *Jo. Hunt*. Three little things in black Bags, I did not know what they were. And they ask'd him whether he was willing they should be put on, if he was he should hold up his Hand, but he was unwilling. But I said I was minded to have them put on, so he lay still, and Mrs. *Welling* or some other Woman sew'd them to the Bosom of his Shirt. After the Charms were put on, I watch'd to see what would become of them; and perceiving *Hathaway* to make several Motions with his Hands about them, I struck his Hands, I bid him either keep his Arms straight in the Bed, or else put them out of the Bed, for that the Charms should not be taken off that Night. Then I and the Company sitting still about the Bed, *Welling* said, hearken, you will not believe; hear what a Noise there is, the like is heard here almost every Night. Whereupon all were silent, at last I heard a small scratching or rubbing at the Bed's-feet; and putting my Head close to the Bed's-feet listening, I hard something screek, and perceiving the Bed cloaths

ſtir, I took hold of the Fellows's Foot, and ſaid, I have caught the Witch that made the Noiſe. I thought it had been Mice at firſt, but ſeeing the Cloaths move I catch'd his Foot. Thereupon *Hathaway* roſe up, and in a Paſſion made a Motion towards me with both his Hands; but I lifting up his Foot, he fell back upon his Pillow, and lay ſtill, and the Noiſe ceaſed; and about five a Clock in the Morning I left him, and the Charms upon him. Mr. *Coniers*. Call *Elizabeth Brand* (who appeared) Pray give an Account what you know of any Collection of Mony for *Rich. Hathaway*.

*Eliz. Brand*. There was between Six and Seven Pounds gathered.

L. C. J. *Holt*. How was it gathered? *Eliz. Brand*. We went about to get Mony for him to bear his Charges to *Guilford*, and we got between Six and Seven Pounds. Mr. *Broderick*. Do you know of any other Sums that were gathered for him? *Eliz. Brand*. Yes, but I know not how much.

Mr. *Coniers*. Who employed you to do this? *Eliz. Brand*. A great many of the Neighbours. L. C. J. *Holt*. Who was the Mony paid to?

*Eliz. Brand*. To Mrs. *Welling*. Mr. *Coniers*. Do you know any thing of his ſcratching *Sarah Morduck*? *Eliz. Brand*. I over-perſwaded her to let the Fellow ſcratch her. L. C. J. *Holt*. Did ſhe conſent to it? *Eliz. Brand*. Yes, my Lord; I call'd her, and ſaid to her, Let me perſwade you to let this Fellow ſcratch you; and ſhe bid me go and fetch him. And he came, and ſits him down on a low Seat. Says ſhe, will you engage he ſhall not ſcratch my Eyes out? At laſt he ſcratches, and there came no Blood; and he ſcratches again, and then the Blood came, and he cry'd, O my Eyes, O my Eyes. And I ſaid, now the Blood comes, and he ſtared. Says I to him, Can you ſee me? Yes, ſays he, as well as ever I could.

Mr. *Coniers*. Mr. *Herne*, you was at *Guilford* Aſſizes, how long did this Fellow pretend he had faſted? Mr. *Herne*. I cannot be poſitive what he ſaid at the Tryal as to that; but they ſaid he had faſted ſix Weeks before Dr. *Martyn* tryed the Experiment with him. Mr. *Coniers*. Call *Matth. Shipps* (he was ſworn.) Was *Richard Hathaway* under your Cuſtody? *M. Shipps*. Yes. He was brought from *Guilford* Aſſizes upon the 31*ſt* of *July* laſt, he came home at eleven a Clock at Night, and they told me he was come a Priſoner from *Guilford* to the *Marſhalſea*, where he continued four days, and he was ordered to lie with me; and every Night that he lay there he ſlept very well to my thinking; and ſeveral times I ask'd him how he did, he anſwer'd he was pretty well; and every day while he was there he eat and Drank with me, as the reſt of the Servants of the Houſe did, and was not in all that Time in any Fit as I could perceive, but went very well out of the Priſon.

L. C. J. *Holt*. What did he ſay at the Aſſizes about his Faſting?

*M. Shipps*. I was not at the Aſſizes. Mr. *Coniers*. Then we muſt leave it here.

Mr. *Broderick*. My Lord, we have the Woman here that they pretended was the Witch, but it may be they may think it not proper, and therefore we ſhall let her alone. Mr. *S. Jenner*. My Lord, and you Gentlemen of the Jury, I am Council for the Defendant *Richard Hathaway*, who is indicted for a Cheat and Impoſtor; and it is for pretending himſelf to be bewitched, and that he has uſed indirect Arts and Means to make People believe he was ſo bewitch'd, and that this *Sarah Morduck* was the Perſon that had bewitch'd him; and that this was contrived by him in order to bring Miſchief and Damage on this *Sarah Morduck*, and to the evil Example of the Queen's Subjects. You have heard the Evidence that has been given, and therefore I ſhall not repeat it, but only obſerve ſome good things to you. The Doctor has taken a great deal of pains in this Cauſe, but that which he does tell you by hearſay, what other Perſons told him, is not ſuch Evidence as you are to take any notice of, that is, what *Johnſon* told him, and likewiſe what other Perſons told him concerning this Man: for what they have ſaid to him of this man, tho it may be true, is not to come under your Conſideration. There are ſeveral others, that have given Evidence of what other Perſons have ſaid, and they have given it as their Opinions that what this man did was the Cauſe of their Doings; of which you are to take no notice. But, my Lord, that which ſeems to bear moſt hard upon us, is, that becauſe the Doctor, and ſeveral others have been abuſed, both before and after the Tryal, for what they endeavour'd to do, therefore they would inſinuate as if my Client had had a hand in it. But if a man be doing any thing and another takes the Advantage of it to do another a Miſchief, and I hope that Miſchief ſhall not be laid to his Charge. My Lord, there is one man that has given a great deal of Evidence as to his Vomitting of Pins, and ſays that he was by, and he ſwept the Ground, and after he had Vomitted there were Pins upon the Ground; and when he had a Chamber-pot to vomit in, he could not find any Pins there, but there were ſome upon the Ground again. So likewiſe for his Faſting, you have had Evidence to prove that a Cheat. And this ſeems to affect him moſt, that all this pretence to be Bewitch'd, and Vomitting of Pins, and Faſting was a Cheat. This is the matter that they accuſe him of. Of which if he be really Guilty, I come not here to defend him; But I am to de-

fend him as far as Witneſs will do. And now, my Lord, if my Brief be true, we ſhall ſatisfy you that my Client was in a very lamentable Condition, ſuch as one would think no man could be in and live; and I will lead you by theſe Steps. When he was thus diſabled, could neither ſpeak, nor take ſuſtenance; his Maſter, after he had ſerved him two Years, and he had lived very civilly, and behaved himſelf well in his Maſter's Service, till he fell thus ill; Then he was ſo ill, that after the Maſter had ſpent a great deal of Mony with Doctors and Apothecaries, he could get no cure for him; then he got him into the Hoſpital, and there he continued a long time; and at laſt they gave it in that he was Incurable, and they turn'd him out. But his Maſter made intereſt, and got him in again, and he continued ſome time there again; and there it was that he was firſt thought to be bewitch'd: For they had him twice, and could do no good with him, and the Tenders told him he muſt lye under ſome evil Tongue; and thereupon he was turn'd out as incurable, and with that inſtruction that it was an incurable Diſeaſe. So he came home again, and his Maſter and Miſtreſs were acquainted with it; and they conſider what Perſon it ſhould be that ſhould have any evil deſign againſt him. And at laſt they recollect that his Maſter had taken a Room over the Head of this *Sarah Morduck*, and ſhe had gone to the ſhop often, and had given them very ill Words, and ſhe ſhould be even with him one time or other; and therefore they concluded this Woman was the Perſon. Upon this there were many things contrived, what courſe they ſhould take to do him good, and there was one thing concluded upon in order to his eaſe, (which I think none ſhould adviſe) that is the buſineſs of ſcratching. But this Woman, when ſhe was accuſed by them of bewitching him, ſhe offer'd herſelf to be ſcratch'd, and ſhe was ſcratch'd, and from thence this man found eaſe. But afterwards he fell ill again, and he went into *London*, and was examined at Sr. *Tho. Lanes*; and upon examination they thought that this Man did lie under ſuch an affliction. I cannot ſay it is an irreligious thing to ſay there are Witches in the World; But this Man lay under ſuch a Diſtemper, that no Doctor could know what to do with it. And they could not imagine who ſhould do it but this Woman, and ſhe was there ſcratch'd by him; and he did find relief by it. My Lord, this being the matter of fact, we ſhall call very ſubſtantial Witneſſes to prove it. As to his faſting, we ſhall prove that he was put under the care of very ſubſtantial Perſons, and that he did not eat or drink for three Weeks or a Month; So that it will appear we had no contrivance in the World, but only would get eaſe if we could. We have 20 Witneſſes to call. L. C. J. *Holt*. Let them all be call'd. Call as many as you will. Mr. *S. Jenner*. Call *Anne Eaton*. (She appear'd) Do you know *Rich. Hathaway?* *Anne Eaton*. Yes Sir. Mr. *S. Jenner*. How long have you known him? *A. Eaton*. Ever ſince he came to his Maſter.

Mr. *S. Jenner*. How long is that? *A. Eaton*. About 5 or 6 Years.

Mr. *S. Jenner*. Do you know what condition he was in 2 Years agoe?

*A. Eaton*. Yes. Mr. *S. Jenner*. Then pray give my Lord and the Jury an account of it. *A. Eaton*. I watch'd with him ſeveral nights.

Mr. *S. Jenner*. Where did you watch with him? *A. Eaton*. At his Maſters Houſe. Mr. *S. Jenner*. In what condition was he then? *A. Eaton*. He was in a very bad condition, he was dumb and blind, and his Senſes were gone, and he ſeem'd as if he were dead; and when his Senſes have come to him, he has burn'd like a flame of Fire. L. C. J. *Holt*. How long did you watch with him?

*A. Eaton*. About nine weeks. L. C. J. *Holt*. Did he faſt all that time?

*A. Eaton*. Yes, my Lord. L. C. J. *Holt*. Might he not eat in that time, and you not ſee him? *A. Eaton*. I was with him conſtantly at nights, but not in the day; I have been with him four or five days and nights together, and did not ſee him eat or drink. L. C. J. *Holt*. What time was this that you watch'd with him?

*A. Eaton*. From the time that he came from Madam *Davenports*, till your Lordſhip confined him. L. C. J. *Holt*. Who put him to Madam *Davenports*? *A. Eaton*. I had nothing to do with that. Mr. *S. Jenner*. Can you not tell what Month that was in? *A. Eaton*. I can't tell that. Mr. *Raymond*. Did you obſerve him all that time? *A. Eaton*. When I went out, I left one always in my room.

L. C. J. *Holt*. You ſay you were with him four or five days and nights together,

*A. Eaton*. Yes, my Lord. L. C. J. *Holt*. Were you with him all night and all day? *A. Eaton*. My Lord, ſome days I had occaſion to go out, but then I left ſome Neighbours with him. Mr. *S. Jenner*. Call *Gibſon*, (who appear'd) Do you know this Man, *Rich. Hathaway?* *Gibſon*. I have ſeen him in a deplorable condition. Mr. *S. Jenner*. When was this that you ſaw him? *Gibſon*. About two years agoe. His Maſter asked me to go and ſee him, and when I came up I ſaw him foaming at Mouth, I thought he would not live till morning. The next day his Maſter deſired me to watch with him at night, and I did, and he was ſo bad that I thought he would not live till morning. Afterwards I ſaw him again, and he was blind and dumb, as it appeared to me. And he had

a ſtrange

a ſtrange Motion he threw himſelf forward, and afterwards threw himſelf backward as if his Head lay in the Reins of his back; and I ſaid to this Woman then, I believe he has broke his Back. I believe this was after he came from Madam *Davenports*, about the time that he appeared at the Bar at *Weſtminſter*. L. C. J. *Holt*. The firſt time that you ſpeak of, when you ſay he was Blind and Dumb, you ſay that was two Years ago; was he Blind and Dumb when you ſaw him the 2*d* time?

*Gibſon*. Yes, the ſecond time I ſaw him he was Blind and Dumb. I ſaw him in a deplorable Condition three times. *Jury-man*. We deſire to know the Circumſtances of his Condition.

L. C. J. *Holt* The Jury deſire to be ſatisfied of the Circumſtances of his Condition. You ſay you ſaw him two Years ago; and he was then in a deplorable Condition, and you ſaw him twice after; the Jury would have you deſcribe the Circumſtances of it as plain as you can.

*Gibſon*. His Maſter deſired me to go to him, and I was willing to oblige him; and when I came to him he was both Blind and Dumb. L. C. J. *Holt*. How long was this after you ſaw him the firſt time? *Gibſon*. About half a Year after. L. C. J. *Holt*. Are you a Neighbour. *Gibſon*. Yes, my Lord. L. C. J. *Holt*. You ſay you ſaw him two Years ago, and you ſay he then foamed at Mouth and Noſtrils; was he Blind and Dumb then?

*Gibſon*. No, my Lord; but he was when I ſaw him the ſecond time. L. C. J. *Holt*. When did you ſee him after? *Gibſon*. It was about a Twelve Month after that I ſaw him.

L. C. J. *Holt*. And not before? *Gibſon*. He was ſeven Weeks in the Hoſpital.

Mr. *Broderick*. Then you did not ſee him in the Hoſpital. *Gibſon*. I did, but he went almoſt double. Mr. *Broderick*. Did you hear any thing of Mrs. *Morduck* then? *Gibſon*. No Sir.

L. C. J. *Holt*. What Trade are you? *Gibſon*. I am a Glazier. Mr. *Coniers*. Have you no other Trade? *Gibſon*. Sometimes I work at the *Cuſtom-houſe*. One *Sunday* we went to hear Dr. *Pead*, and *R. Hathaway* went with us. And when we were gone out a Door he could not ſpeak, and when we came upon the Bridge, his Face was drawn a wry ſo ſtrangely that it aſtoniſh'd me; he ſtagger'd the length of this Table, and his Face was drawn back again, and he fetch'd a reel; but in a quarter of an Hour he ſpoke, and his Speech continued till he came to *Grace-Church-ſtreet*, and there we met Mr. *Fox*; and ſo he continued till we came to *Biſhop's-gate*: But coming to *Hound's-ditch*, he made Motions that his Speech was gone again. L. C. J. *Holt*. Did you hear him ſpeak at *Weſtminſter*? *Gibſon*. No, my Lord. Mr. *S. Jenner*. Call *Flummery*, (who appear'd) Do you know this Man. *Flummery*. Yes, I am a Neighbour.

L. C. J. *Holt*. What is thy Name? *Flummery*. *Flummery*. After *Guilford* Aſſizes I went to ſee him, and he was in a Lamentable Condition; he was like a Stock or Stone, Blind and Dumb, I went to ſee him····· L. C. J. *Holt*. Did you ever ſee him before?

*Flummery*. I ſaw him ſeveral times, but took no notice of it; but then his Eyes ſtood wide open.

L. C. J. *Holt*. And yet you ſay he was blind, how could that be? *Flummery*. My Lord, I will tell you how. I tryed him, I wag'd the Hair of his Eye-lids, and put the Candle to his Eyes, and he took no notice of it. L. C. J. *Holt*. How could you know that he did not ſee? *Flummery*. I tryed him. L. C. J. *Holt*. How did you try him?

*Flummery*. I try'd them with my Fingers, and his Eyes would not wag.

L. C. J. *Holt*. Did he not look then as he looks now. *Flummery*. No.

Mr. *Broderick*. Did you ſpeak to him then? *Flummery*. Yes, but I could not make him Hear nor Anſwer me. L. C. J. *Holt*. Could he ſpeak then?

*Flummery*. No, May it pleaſe your Lordſhip. *Anne Pearſe* ſworn.

Mr. *S. Jenner*. *Anne Pearſe*, Pray tell my Lord what you know of this *R. Hathaway*.

*An. Pearſe*. I belong to the Hoſpital, When he came into the Hoſpital he was very bad.

L. C. J. *Holt*. Was he Blind and Dumb when he came in?

*A. Pearſe*. After he was brought in, he was put to Bed, and he was taken with a Fit, and I was call'd to him, and I came to him, and he did not ſtir much, and turn'd up his Eyes. And afterwards one of his Maſters Journey Men came to him, and he raiſed him out of his Bed; and one came to me, and ſaid, Siſter, he is come to the Fire, but he is very bad ſtill. Says I, what did you raiſe him out of his Bed for? He went upon his Ankles almoſt, he went very Weakly, and continued ſo for ſome time. Mr. *S. Jenner*. How long was he in the Hoſpital?

*A. Pearſe*. About five Months. Mr. S. *Jenner*. Was he out, and came in again?

*A. Pearſe*. Yes he was. He complain'd he could not go to ſtool, and the Doctor gave him *Quick-ſilver*, and when it came from him, I heard the Apothecary made him take it again, and ſwallow it again Mr. *S Jenner*. When he came in the ſecond time, was you there then?

*A. Pearſe*. Yes. Mr. *S. Jenner*. How long was he there the ſecond time?

*A. Pearſe*. How long he was there the ſecond time I cannot tell. Mr. *S. Jenner*. Can you tell when he was put in the ſecond time? *A. Pearſe*. No. Mr. *S. Jenner*. What was your Opinion of him. *A. Pearſe*. I Apprehended him to be in a very ſtrange Condition, he lay ſeven or eight days, and did not eat or drink; he had taken Quickſilver, and it did not come from him, and the Doctor wonder'd it ſhould lie ſo long in his Body. Mr. *Broderick*. Did the Doctor or you apprehend any thing of Witchcraft in the Caſe? *A. Pearſe*. No Sir. But at this time his Eyes were ſet in his Head. Mr. *Broderick*. When he was recovered out of thoſe Fits, did he pretend that he was bewitch'd? *A. Pearſe*. No. L. C. J. *Holt*. Did you never hear him complain that he was bewitch'd? *A. Pearſe*. No, My Lord, I did not hear of that.

Mr. *S. Jenner*. Call *Jo. Smith* (who appeared) Mr *Smith*, do you know this Perſon, *Richard Hathaway*? Mr. *Smith*, Yes Sir. Mr. *S. Jenner*. How long have you known him?

Mr. *Smith*. About five or ſix Years. Mr. *S. Jenner*. How far do you live from him?

Mr. *Smith*. I believe about two Stones throw. Mr. *S. Jenner*. Were you well acquainted with his Condition two Years ago. Mr. *Smith*. Yes, I have done buſineſs for the Family ſeveral Years. About five Years ago I found him much afflicted with Convulſion Fits at his coming to his Maſter. Mr. *S. Jenner*. How was he about two Years ago?

Mr. *Smith*. He was in a very ſtrange Condition, and I adviſed his Maſter to get rid of him, and to get him into the Hoſpital. Mr. *S. Jenner*. What did he ail? Mr. *Smith*. He lay in a very ſtrange Condition. Mr. *S. Jenner*. How did he lie? Mr. *Smith*. He lay ſtrugling and ſtriving often, and ſometimes like a Man that was dead; and once when he lay in that Condition I laid cupping-Glaſſes to him, and that enliven'd him.

Mr.

L. C. J. *Holt.* What did you imagine ailed him ? Did you think he counterfeited or not ? Mr *Smith.* Indeed, my Lord, I can't tell that.

Mr *S. Jenner.* Why, did you adviſe his Maſter to put him into the Hoſpital ?

Mr *Smith.* I can't tell.

Mr *Phipps.* You ſay you have known him five years, and that he has been troubled with Fits, did he ever talk of being bewitch'd, till within this 2 years ?

Mr *Smith.* No, not till within this 2 years.

Mr Bar. *Hatſell.* When he lay ſeemingly dead, you do not know whether he Counterfeited or no. Mr *Smith.* No, my Lord.

Mr Bar. *Hatſell.* Do you think a Man can be in ſuch a condition as he ſeem'd to be, and yet only Counterfeit ?

Mr *Smith.* Indeed, my Lord, I know not, I examined him whether he was ſubject to thoſe Fits formerly, and he told me he was very much troubled with them in the Country.

L. C. J. *Holt.* You do not anſwer the queſtion. Cannot a man Counterfeit in ſuch a caſe ? What do you think of that ?

Mr *Smith.* Without doubt it may be counterfeited.

L. C. J. *Holt.* You ſay, when he was in thoſe fits, you put Cupping-glaſſes to him, and it enliven'd him ; now if he were in a real Convulſion, do you think it would have enliven'd him ? Mr *Smith.* Sometimes it may be ſo.

Mr *S. Jenner.* Call *Eliz. Willoughby* (ſhe appeared) Mrs *Willoughby*, pray give my Lord an account whether you know *Rich. Hathaway*, and what you know of him. *E. Willoughby.* Sir, I have ſeen him ſince the Aſſizes at *Guilford.*

Mrs *S. Jenner.* Did you never ſee him before ? *E. Willoughby.* Yes.

Mr *S. Jenner.* Then give an account of what condition you have ſeen him in.

*E. Willoughby.* I have ſeen him when the Breath came out of his Mouth like the barking of a Dog. I had a Child that was troubled with Fits, and I was above Stairs, and I heard a great noiſe ; and I went out of the Door to ſee what was the matter, and over the Hatch lay *Richard.* Lord bleſs me, ſays I, is it you makes this noiſe ; and I could not fancy any thing, but that it was like the barking of a Dog.

L. C. J. *Holt.* How thick was it ? Was it not like other Folks ?

*E. Willoughby.* No. Mr S. *Jenner.* What ailed him ?

*E. Willoughby.* I cannot tell what ailed him.

L. C. J. *Holt.* Do you think he was bewitched ?

*E. Willoughby.* I believe he was, my Lord.

L. C. J. *Holt.* I ſuppoſe you have ſome skill in Witchcraft, did you ever ſee any Body that was bewitched before ?

*E. Willoughby.* My Lord, I have been under the ſame circumſtances my ſelf when I was a Girl, in Sir *Ed. Bromfields* time.

L. C. J. *Holt.* How do you know you was bewitched ?

*E. Willoughby.* There was a Woman taken up upon ſuſpicion for it.

L. C. J. *Holt.* For bewitching thee ? *E. Willoughby.* Yes, my Lord.

L. C. J. *Holt.* Did you ſcratch her ?

*E. Willoughby.* My Lord, I had no power to do any thing. I flew over them all.

L. C. J. *Holt.* You ſay you were in the ſame condition with this man, and you ſay you flew, did you faſt too ?

*E. Willoughby.* One held me by one Arm, another by the other, and another behind, and I flew ſheer over their Heads.

L. C. J. *Holt.* Woman, can you produce any of theſe Women that ſaw you fly ?

*E. Willoughby.* It was when I was a Child, they are dead, it was in old Sir *Ed. Bromfields* time.

L. C. J *Holt.* What became of that Woman that made thee to fly ?

*E. Willoughby.* I cannot tell, I have been well ever ſince I was married.

Mr *S. Jenner.* How was you cured of that Witchery ?

*E. Willoughby.* How do I know ? Mr *Coniers.* Did you ſcratch her ?

*E. Willoughby.* How ſhould I ſcratch her, when I had not power to ſee her ?

Mr *Coniers.* And yet you believe this man was bewitched as well as you. What condition was this man in ? How long did he lye in this condition.

*E. Willoughby.* Night and day, he has lain over the Hatch, and over the Bed, and made a great noiſe with his Breath.

Mr *S. Jenner.* Who did you ſuſpect had done him this harm ?

*E. Willoughby.* I know not that.

Mr *Broderick.* Are you a Widow ? *E. Willoughby.* No Sir.

Mr *S. Jenner.* Call *Keeling.* (*he appeared*) Do you know any thing concerning this *Richard Hathaway.* *Keeling.* I watcht with him 9 nights.

Mr *S. Jenner.* What did he eat or drink all that time ?

*Keel.* He did neither eat nor drink, nor had he any Stool all that time.

*L. C. J. Holt.* Did you watch with him nine nights and days?

*Keel.* There was another man that watch'd with him in the day, as I came out he was let in, and as he came out I was let in.

Mr S. *Jenner.* How long was this before the Tryal?

*Keel.* Two or three days before he came before Sir *Thomas Lane.* (Bridges *sworn*)

Mr S. *Jenner.* Did you watch with *Richard Hathaway?* *Bridges.* Yes.

Mr S. *Jenner.* How long? *Bridges.* Nine days.

Mr S. *Jenner.* Did you watch with him the same days that he watcht with him in the nights? *Bridges.* Yes.

Mr S. *Jenner.* Did you not stir from him till he came? *Bridges.* No.

Mr S. *Jenner.* Did you see him eat or drink all that time? *Bridges.* No.

Mr S. *Jenner.* Where was it that you watcht with him?

*Bridges.* In an old empty House. *Ld C. J. Holt.* Where was this House?

*Bridges.* By a Dock on the *Bank-side* in St *Mary Overys* Parish.

*Ld C. J. Holt.* How came you to put him into that House?

*Bridges.* The Masters of the Parish put him in it. (*Mr* Webb *sworn.*)

Mr *S. Jenner* Mr *Webb,* did you get a House to put *Hathaway* in?

Mr *Webb.* Yes. *Ld C. J. Holt.* How came you to do so?

Mr *Webb.* His Master used to work for me, and he came to me, and said, I cannot tell what to do with my Man, unless the Masters of the Parish take some care of him; and I did speak with some of them about it; and they said, we will not trouble the Parish about it, we will spend a Crown a piece, and put these men into the House with him. *Ld C. J. Holt.* You took the House then?

Mr *Webb* We borrow'd the House, it being empty, and put in these two men. There were four or five Neighbours more, and I said to him, They say you vomit Pins, I will be satisfy'd whether it be true or no; and we stript him, and could find none about him; we search'd his Shirt, his Stockings, his Breeches, and his Hat, but could find no Pins about him.

Mr S. *Jenner.* Did he eat or drink all the time you were there?

Mr *Webb.* No, my Lord. Mr *S. Jenner.* Did he Vomit?

Mr *Webb.* Yes, I went to him on *Thursday* morning, and he had a husky Cough, and I thought he would have been choak'd; and at last he made a crumb of Spittle out of his Mouth, and there were three Pins came from him in the Spittle, as rusty as if they had lain in a Ditch seven years. About *Saturday* following he had I believe four Pins more came from him; I took them, and I think the hands of Man could not join them as those Pins were. On Sabbath day in the morning, a Gentleman came and desired him to go to Church with him, and desired him to drink a pint of Ale, but he did not drink half; and about 5 a Clock in the afternoon came Mr *Sutton* the Apothecary, and I stay'd with him till 6 on *Monday*, and heard not a word from him.

*Jury-Man.* What People came in to see this Fellow while you watcht him?

*Keeling.* No Man, Woman, or Child came to him the time I was there, but only that *Sunday* night that my Masters were there, and I said, you do not put him here to starve him; and they bid me ask him if he would eat any thing, if he would eat any thing he might have it.

Mr *Coniers.* Did you not use to carry him out sometimes?

*Keeling.* We never carried him out.

Mr *Coniers.* Just now you said he was out on Sabbath day.

*Keeling.* Yes, but never otherwise.

Mr *Broderick.* Was he in a ground Room, or up Stairs?

*Keeling.* He was in a ground Room.

L. C. J. *Holt.* Were there any Windows in it? *Keeling.* Yes.

L. C. J. *Holt.* Was there any Casement? *Keeling.* Yes, there was.

*Jury-Man.* We desire to know of this Witness, whether he never was asleep in that time while he watch'd with him.

*Keeling.* No, I sate just at his Head. I slept in the day-time.

L. C. J. *Holt.* You that watch'd with him in the day, did not you sleep all day?

*Bridges.* No.

L. C. J. *Holt.* How came you to concern your self in this Business? Are you one of the Masters of the Parish.

Mr *Webb.* No I am not, but it was my turn to be Overseer, and his Master spoke to me to speak to the Church-Wardens; and I did, and they said they would not put the Parish to the charge, but to do it themselves.

L. C. J. *Holt.* What Trade are you? Mr *Webb.* A Lighter-Man, my Lord.

(Dell *Sworn*) Mr *S. Jenner.* Do you know this *Richard Hathaway?* *Dell.* Yes.

Mr *S.*

Mr *S. Jenner.* How long have you known him?

*Dell.* Ever since he was an Apprentice.

Mr *S. Jenner.* Did you know him two years ago? *Dell.* Yes.

Mr *S. Jenner.* What condition was he in then?

*Dell.* I was at the Assizes at *Guilford*——

M. *S. Jenner.* What did you know of him before that time?

*Dell.* I took no notice of such things?

Mr *S. Jenner.* Can you say any thing of him.

*Dell.* I can say, that the night before he was before Sir *Thomas Lane* I watch'd with him, and he went to stool, and in his Excrements there was a lump of Hair, loose Pins, a stump of a Nail, half a Nutshell, and two or three pieces of Stone:

Mr *S. Jenner.* And this you saw.

*Dell.* I saw him in a very deplorable condition.

L. C J. *Holt.* How? In what condition? *Dell.* This is all I have to say.

Mr *S. Jenner.* What do you call a deplorable condition?

*Dell.* He lay in such a condition as if he were Dumb; and if he was not, I believe he is the greatest Villain in the World.

L. C.J. *Holt.* How do you know those Excrements came from him?

*Dell.* I was one of the three Men that watch'd with him that night. We had two Chamber pots; these things were in the first Stool, and when he had the second Stool, he sate on the Pot, and when he had done, we look'd, and there was nothing in it.

Ld C.J. *Holt.* And were these things in the first?

*Dell.* Yes, in the first, in the other there was none. And there were twenty Neighbours more that saw them. Mr *S. Jenner.* Was *Benn* there?

*Dell.* Yes he was there. Mr *S. Jenner.* Mr *Benn*, was this so? *Benn.* Yes.

Mr *S. Jenner.* Did you help watch with him? *Benn.* Yes.

Mr *S. Jenner.* And are you sure those Excrements came from him?

*Benn.* Yes I am sure, I stood over him with a naked Sword.

Mr. *S. Jenner.* Why did you stand over him with a naked Sword?

*Benn.* Because People said he was bewitched.

*Ld C. J. Holt.* Who employed you to watch with him.

*Benn.* I went into the house, and I told his Master, if they would watch him in the day, I would in the night. (Powel *called.*)

Mr *S. Jenner.* What do you know of this matter?

*Powel.* This man and I went up one night—— Mr *S. Jenner.* When?

*Powel. February* was twelvemonth. We went up and look'd upon him, and he lay as one dead, and he did not wag his eyes; and presently he hook'd his neck about in such a manner that I thought he had broke it; and he foamed, and we took the foam from his Mouth, and in it were five Pins, the crookedst rams-hornest things, that I believe no man could do them so.

Mr *S. Jenner.* That was one night, did you see the same any other time?

*Powel.* Yes Sir.

*Ld C. J. Holt.* But you did not see them come from him?

*Powel.* Yes, I took it from his mouth, and they were rusty.

*Ld C. J. Holt.* How should they be rusty?

Mr *S. Jenner.* The stomach will make them rusty. Call Madam *Davenport.* (*She appeared*) Madam, pray give my Lord and the Jury an account what you know concerning *Rich. Hathaway*, when he came to your house, and how he was managed there.

*Mrs Davenport.* My Lord, one *Saturday* I accidentally went to Dr *Hamiltons* to visit his Wife, and I saw with the Doctor this Fellow's Master standing there; and I perceived he was come to desire the Doctor to perform a promise he had made to him formerly—— *Ld C. J. Holt.* Was this before the Tryal, or after?

Mrs *Davenport.* It was after the Tryal. I came accidentally to the Doctors, and saw the Fellows Master with the Doctor.

*Ld C. J. Holt.* Was the Fellow there himself?

Mrs *Davenport.* No, my Lord, I never saw him there. But standing there, I perceived him expecting the Doctor to make good a promise he had made him about this Fellow. I found the Doctor demurr'd upon it, not knowing where to put him. At last says he to me, Mrs *Davenport*, will you let me have a Garret in your House? Doctor, says I, you shall have my whole House at your service, if you have occasion for it; I thought nothing of this Fellow, till the Doctor told me it was for him. And the Doctor told me he should come that night. Says the Fellows master, I will not send a Bed, that the Doctor may be satisfied there is no cheat. And the Doctor to prevent any cheat, desired me to go and buy an old Bed. So I went and got a Bed in *Long Lane*; and at night he was brought by his

Master

Maſter and ſome of his Neighbours. And truly I was ſurprized when I ſaw him, he ſeemed very weak. Mr *S. Jenner.* What did you do with him?

Mrs *Davenport.* They ſaid he had Fits, and I found I muſt take other meaſures with him than I thought of. His maſter deſired he might be ſearcht; and my Son and two men more ſearcht him. So he went to bed, and was watcht with that night, and in the morning he was ſtruck blind. *Ld C. J. Holt.* At your Houſe?

Mrs *Davenport.* Yes, my Lord.

Mr *S. Jenner.* Did you appoint any perſons to watch with him?

Mrs *Davenport.* Yes.

Mr *S. Jenner.* Did you watch with him your ſelf?

Mrs *Davenport.* Yes ſeveral times.

*Ld C. J. Holt.* How long at a time did you watch with him?

Mrs *Davenport.* But one night at a time my ſelf.

*Ld C. J. Holt:* When you did watch with him, did you watch the whole night?

Mrs *Davenport.* Yes, ſeveral nights, and this Gentlewoman or my ſelf took care of him always.

Mr *S. Jenner.* What did he eat or drink while he was there?

Mrs *Davenport.* Nothing, as for his faſting, the Doctor gave me a great charge, and ſaid he knew I would do it.

Mr *S. Jenner.* All the time you watcht with him, you ſay he did neither eat nor drink.

*Ld C. J. Holt.* How many nights did you watch with him in the ſeventeen?

Mrs *Davenport.* But two. *Ld C. J. Holt.* How many days?

Mrs *Davenport.* Every day.

*Ld C. J. Holt.* Did you watch him every day yourſelf?

Mrs *Davenport.* Either my ſelf, or this Woman, or the Servant, or my Son *Davenport.* He is now gone to Sea. My Lord, I do not tell you I kept him in the Garret all this time.

Mr *S. Jenner.* When you left him, who relieved you?

Mrs *Davenport:* This Gentlewoman or my Servant.

Mr *S. Jenner.* What is that Gentlewomans name?

Mrs *Walker. Walker. (ſhe was ſworn)* Mr *S. Jenner.* Mrs *Walker,* did you watch with him in this place? Mrs *Walker.* Yes.

Mr *S. Jenner.* Did he eat or drink while he was there?

Mrs *Walker.* He did neither eat nor drink.

Mr *Coniers.* How often was it that you watched with him?

Mrs *Walker:* I cannot tell whether one or two nights.

*Ld C. J. Holt.* I would be ſatisfied in ſome things. Is that *Davenport* you ſpeak of your Son. Mrs *Davenport.* Yes, my Lord. He is now gone to Sea.

*Ld C. J. Holt:* How long has he been gone to Sea? Mrs *Davenport.* But a week: *Mrs* Dorman *ſworn:*

Mr S. *Jenner.* Mrs *Dorman,* Did you watch with this man at Mrs *Davenport's?*

Mrs *Dorman.* Yes.

Mr S. *Jenner.* Within the 17 days that he was there, did he eat or drink?

Mrs *Dorman.* No. Mr *Phipps.* How many nights or days did you watch with him?

Mr S. *Jenner.* Give an account of the time when you watchd with him, and no longer. Mrs *Dorman.* Two nights, and every day.

*Ld C. J. Holt.* He might have eat, and you not ſee him, might he not?

Mrs *Dorman.* But the time I ſaw him, he did neither eat nor drink. And he made Water, and I believe five times more came from him than he took.

(*Mrs* Dean *ſworn)* Mr S. *Jenner.* Mrs *Dean,* do you know *R. Hathaway?*

Mrs *Dean.* Yes. Mr *S. Jenner.* How long have you known him?

Mrs *Dean.* Not till he was at Madam *Davenport's.*

Mr S. *Jenner.* Was you there all the ſeventeen days?

Mrs *Dean:* Not all the time. I ſate up with him two nights.

Mr S. *Jenner.* Who ſate up with you? Mrs *Dean.* Madam *Davenport.*

Mr S. *Jenner.* While you were there, did he eat or drink? Mrs *Dean.* No.

Mr S. *Jenner.* Call Dr *Hamilton. (He was ſworn)* Doctor, pray give an account of what you know concerning this *Rich. Hathaway.*

Dr *Hamilton:* My Lord, I have very little to ſay upon my own perſonal knowledge: But happening to be at Sir *Thomas Lane's* when he was brought before him, I heard what paſt, and I deſired Sr *Thomas* to let me try his Throat, and I did try it, and found nothing amiſs: But at laſt I found there was nothing to be depended upon, for there are abundance of Legerdemain tricks, therefore his vomiting Pins, and other Actions were not to be truſted to; and therefore there was nothing to be depended on but his faſting; and if you would diſcover whether he be an Impoſtor or no, he muſt be lockt up in a room for a fortnight, and watcht.

And

And then I ſaid to the Fellows Maſter, for my curioſity, if you pleaſe, I will lock him up in a Room a fortnight, and I ſhall find out whether he counterfeits or no: And he came to me afterwards, and ſaid, Dr you promiſed you would make this tryal of my Man: I did ſo, ſays I, and if I can I will; I had thoughts of putting him in the Garret; but then I conſidered, if I ſhould put him in the Garret by himſelf, he might dye: But at the ſame time Mrs *Davenport* happen'd to come to my Houſe, and I ſaid to her, I dare truſt you with an experiment, for I believe he is an Impoſtor, and I deſired her to let me have her Garret to put him in, and ſhe conſented. And I deſired her either to go herſelf, or ſend to *Long Lane*, and buy things for him; and that ſhe ſhould ſtrip him, and ſee that nothing may be about him to hide Bread or any thing elſe in; and, ſaid I, let none come to him, and let one or two of your Family ſet up with him every Night: And ſhe promiſed me ſhe would. Accordingly ſhe bought a Bed for him and other things, and he was ſent to her; And the next day they ſent me word that he had ſtrange kind of motions; but I ſaid, there is nothing to be depended on as to theſe things; but I would fain know whether he faſts or no. I have heard of many that have faſted many weeks, but they have taken water, or ſome ſuch thing; which, tho they are very weak things, yet may keep one alive; but none can live without taking ſomething, and if he ſhould live to the end of the 17 days without eating or drinking any thing, I ſhould have ſomething to take hold of. They told me ——

Mr *S. Jenner.* That is no matter what they told you, did you ſee him afterwards?

Dr *Hamilton.* I was mightily concerned for the poor Creature, when I ſaw him at Sir *Thomas Lane*'s; and I was willing to try him.

Mr *S. Jenner.* Did you ſee him after that?

Dr *Hamilton.* Yes, when he was blind for ſeveral days: And I ſent to Dr *Martyn*, and deſired the favour of him to call upon me, and I ſaid ——

Mr S. *Jenner.* Did you ſee him after he had been at Madam *Davenport*'s?

Dr *Hamilton.* Yes. Mr *S. Jenner.* Did you ſee him while he was there?

Dr *Hamilton.* Yes. The thing that I depended upon was purely his faſting. I ſaw him my ſelf ſeveral times, and I could not believe but that he had eat, becauſe his Pulſe were ſtrong, that was one reaſon that I thought he muſt eat.

Mr *S. Jenner.* Did you ſee him the laſt day of the fortnight?

Dr *Hamilton.* I was juſt going to dinner when Dr *Martyn* came to me, and I ſaid to him, Dr *Martyn*, let us try every thing, will you go along with me to him? ſays he, if I go, he will fall in a paſſion. But after I had dined I went, and enquired about him, and they told me he had ſtrange motions.

Mr *Broderick.* You ſay you reject every thing except that of his faſting.

Dr *Hamilton.* Yes.

*Ld C. J. Holt.* Doctor, do you think it is poſſible in nature for a man to faſt a fortnight? Dr *Hamilton.* I think not, my Lord.

*Ld C. J. Holt.* Can all the Devils in Hell help a Man to faſt ſo long?

Dr *Hamilton.* No, my Lord, I think not; and that made me to ſuſpect him.

Mr *Phipps.* Do you think the Pulſe of a man can be ſtrong, when he has faſted eight days? Dr *Hamilton.* I think not. Sr Tho Lane *called and ſworn.*

Mr *S. Jenner.* Sir *Thomas*, be pleaſed to tell my Lord and the Jury what you know of this man.

Sr *T. Lane* It was above a twelvemonth ago, that his Maſter brought a Woman before me, upon ſuſpicion that ſhe was a Witch, and that ſhe had bewitched his man; but there having been a Tryal, I ſhall wave that. I enquired what kind of life he had lived; and his Maſter ſaid, he had behaved himſelf very civilly, and gave him a very good character. He told me how grievouſly he had been afflicted, and that he he had been ſix or ſeven months in the Hoſpital, and had faſted a great while, above eight weeks, and had voided and vomited Pins, and two Witneſſes ſwore to Chains of hundreds of Pins came from him in his Excrements: And it ſeems they had a fancy that ſcratching *Sarah Morduck* would give him relief, and they were earneſt with me that I would command this Woman to be ſcratcht; and I appeal to them whether I did not refuſe it, I ſaid, if I ſhould order this, it would be an aſſault; but if ſhe will conſent you may do it. Says ſhe, if I may be ſecured for the future, I will let him. Says I, if you do it, do it in your own way, there are ſeveral here that know it was ſo. And ſhe did give her conſent, and he ſcratched her; and I pull'd away her arm from him. The Fellow had Bread and Cheeſe brought him; and as ſoon as he had ſcratcht this woman, he took the Bread and Cheeſe, and eat prodigiouſly; and he had about a quart of drink, and he drank it up at a gulp. I ask'd Mrs *Morduck* and her Friends, whether they did ever know that this Fellow had got any money by theſe tricks; no,

they could not tell of any ; So that there appeared to be neither Profit nor Revenge in the caſe, and I thought he could not be ſuch a Fool to pretend all this for no end, and run the hazard of being whipp'd.

*Ld C. J. Holt.* The queſtion is not whether he ſhall be puniſhed for a Fool, but whether he be a Knave ; whatever puniſhment he may ſuffer, if convicted, does not belong to you to determine.

Sr *Thomas Lane.* I ſent for Mr *Martyn*, and I ſent for him, and I ſent for the woman, and I examined them both ; and Mr *Martyn* told me he ſuſpected the Fellow might be an Impoſtor, for he had got a woman to be ſcratcht for *Sarah Morduck*. And he ask'd the woman that Mr *Martyn* had hired, and ſhe ſaid in her opinion he could ſee no more than a poſt.

*L. C. J. Holt.* Call *Johnſon* again. This man ſcratcht you, when he had done it, did you ſee him afterwards? *Johnſon.* Yes. *Ld C. J. Holt.* Were his eyes open?

*Johnſon.* Yes. *Ld C. J. Holt.* But could he ſee?

*Johnſon.* No. When he ſcratcht me they were ſhut.

*Ld C. J. Holt.* Every Body can ſee when their eyes are open.

Sr *T. Lane.* This woman ſaid, ſhe believed he could neither ſee nor hear, any more than a Poſt.

Mr *Martyn.* It was after I was gone, I heard nothing of it.

Sr *T. Lane.* I ſent for him after the examination, all the evidence that was before was of his faſting. *Ld C. J. Holt. Anne Eaton*, how long did you watch with him?

*A. Eaton.* Nine weeks. *Ld C. J. Holt.* Was he dumb and blind ſo long?

*A. Eaton.* No, my Lord. *Ld C. J. Holt.* How long did he faſt?

*A. Eaton.* Thirteen weeks in all.

*Mr S. Jenner.* Did you watch with him all the time?

*A. Eaton.* Sometimes by night, but not by day. Heycock *ſworn.*

*Mr S. Jenner.* What do you know of this man?

*Heycock.* I ſaw this man in a very dreadful condition ſince the laſt Aſſizes.

*Mr. S. Jenner.* Where did you ſee him?

*Heycock.* At *Mr Wellings*, I ſaw him blind and dumb, and his eyes were ready to ſtart out of his head.

*Mr S. Jenner.* How long ſince was it that you ſaw him thus?

*Heycock.* I ſaw him ſeveral times in that condition. And I was once in company, when there were four or five to hold him in his Bed, whereas at another time he had not half the ſtrength of a man. *Ld C. J. Holt.* When was this?

*Heycock.* Since the Aſſizes. Spurling *ſworn.*

*Mr S. Jenner.* What did you ſee of this Perſon?

*Spurling.* I ſaw him at Madam *Davenport*'s.

*Mr. S. Jenner.* How often did you ſee him? *Spurling.* Three times.

*Mr S. Jenner.* Did you watch with him there?

*Spurling.* I went to ſee him becauſe I heard he was under a ſupernatural power.

*Ld C. J. Holt.* What do you think that was, was it an infernal power?

*Spurling.* A Diabolical Spirit.

*Ld C. J. Holt.* Did you ever hear the power of a Diabolical Spirit diſcribed?

*Spurling.* But I ſuppoſe thoſe that are under Witchcraft are under ſuch a Spirit.

*Ld C. J. Holt.* But can a Diabolical Spirit enable a man to faſt forty days?

*Spurling.* I can't tell that. I was acquainted with one that was under a ſupernatural power, that was in ſuch a condition as this man was.

*Ld C. J. Holt.* Did he faſt too? *Spurling.* I know not that.

*Ld C. J. Holt.* I never heard that the Devil ever made ſuch a bold attempt.

*Spurling.* That perſon the Devil acted him ſo ſubtilely that it was impoſſible to proſecute him.

*Ld. C. J. Holt.* How could you know that?

*Spurling.* Becauſe when his eyes were ſhut, he could tell any Mans name that was coming up. L. C. J. *Holt.* Was not he very well pleaſed to be bewitcht?

*Spurling.* No, he was actually poſſeſſed. L. C. J. *Holt.* Was he ſick, or out of order?

*Spurling.* No, my Lord, but he had crooked Pins came from him.

L. C. J. *Holt.* Did he accuſe any body of bewitching him? *Spurling.* Yes.

L. C. J. *Holt.* What is become of that perſon he accuſed? *Spurling.* He accuſed ſeveral.

L. C. J. *Holt.* How many did he accuſe? *Spurling.* Five Women, eſpecially one.

L. C. J. *Holt.* Where is that Woman? *Spurling.* She is deceaſed.

L. C. J. *Holt.* Gentlemen of the Jury, you have heard a very long and tedious evidence. The Information is againſt this *Richard Hathaway*, for that he with an evil deſign to take away the Life of *Sarah Morduck*, pretended to be bewich'd, and to have faſted a for conſiderable time, being not able to take any ſuſtenance for diverſe days, nay, for ſeveral weeks which he pretended to faſt. And his faſting was imputed to this Womans bewitching him, that he did pretend to Faſt a conſiderable time; that he did procure this Woman to be committed for being a Witch ; that ſhe was Indicted, Tryed and Acquitted, is plainly proved to you, without all manner

manner of queſtion. The only queſtion that you are now to Try, is, whether this Man did do this by reaſon of any diſability of his mind, or deluſion that was upon him, or did counterfeit, (what was the reaſon to induce him to counterfeit, does not appear; whether to get Money, or what elſe will not be material) but if this Man was under a delirium of his mind, and did fancy himſelf to be bewitch'd, then there will be no reaſon to convict him.

Now it is urged that he did this maliciouſly, and with a deſign to take away the Womans Life; firſt they tell you, that this Man had been a Servant to one *Welling* a Blackſmith, he came to him about four or five years ago, then he had Fits, and was put into the Hoſpital, and being there, he pretends he could not eat, after that he was dumb, and after that he began to be blind, and being blind and dumb, and faſting, theſe were lookt upon to be the three tokens that he was bewitch'd. Then the Man had a fancy that he was bewitch'd by this Woman, but for what reaſon does not appear; but his fancy appear'd to be very ſtrong, that ſhe brought him into theſe miſchiefs. Therefore he muſt go and ſcratch her, which he did, and preſently he could ſee and eat; this was look'd on as very ſtrange, and people concluded that this Woman was the cauſe of theſe maladies that were upon this Man, it ſeems that this ſcratching was thought to be ſo effectual, that he was well for about ſix weeks; after which he appeared to be ill again, and his Sight and his Stomach were gone again, and then it was propoſed he ſhould ſcratch her again. It ſeems that before that, Dr *Martin* was deſired to come to him, and pray with him, and he did, and to try whether he was ſenſible or not, he took him by the hand, and by the ſigns he made, found he was ſenſible, and therefore he did pity his condition, but could not tell what to make of it. But *Welling* his Maſter told the Doctor he receiv'd great benefit by ſcratching the Woman before, and thereupon deſired ſhe might be ſcratch'd again. But he ſuſpecting this might be a meer Counterfeit,, and that it could not have that effect, he thereupon gets the woman ſeemingly to conſent to be ſcratch'd, being reſolv'd to try whether this was an impoſture or no. And *Hathaway* pretending himſelf to be blind, gave him an opportunity to make that experiment: For he procured another woman to repreſent *Sarah Morduck*, and ſhe conſented to be ſcratcht in her ſtead; *Hathaway* was laid up in a Bed, and *Sarah Morduck* was in the room, and ſpake to him. It was obſerved when this other woman whoſe name was *Johnſon* was brought to repreſent this *Morduck* to *Hathaway*, ſhe put her hand into his, and then he examined it, and her wriſt, and her arm, ſo it ſeems he had ſome apprehenſion of a deſign to impoſe upon him; And then he proceeds to ſcratch that other woman, who takes it patiently, till the blood was ready to come, and then ſhe was ſuddenly taken away, and ſome of the Company ſaid the blood is come, and preſently his eyes opened, and he laid hold on *Sarah Morduck* and ſeizes her, and did not only appear to ſee but to ſpeak. This is proved to you by other Evidence beſides Dr *Martyn*. Upon this, ſays Dr *Martyn*, you are miſtaken, you have deceived the World, you have not ſcratcht *Sarah Morduck*, but another woman. When he underſtood that, he was very much concerned, and ſeemed to begin to be ill again; and *Welling* ſaid, he will not be well till he had ſcratch'd the right woman; ſo to appearance he fell ill again. You have heard how the matter had been carry'd on afterwards, for many looked on this blindneſs and faſting, as an errant impoſture, *Welling* and his Wife complained to Dr *Martyn*, ſaying, you have undone us all, and our family too; What ſhould be the meaning of that? what, becauſe he had diſcovered a cheat, therefore they were undone. It ſeemed likely that if it were a cheat, and *Welling* not conſcious to himſelf of carrying it on, he need not have been concerned at it, but they reſt not here, the woman *Sarah Morduck* muſt be ſcratched again, which was perform'd with violence, againſt her conſent; and the woman being purſued by the Rabble, not able to live quietly in *Southwark*, was forced to go on the other ſide of the water, and take a lodging there for her ſecurity; where ſhe was again purſued, and aſſaulted by *Hathaway*, and others in a riotous manner, in order to ſcratch her again, and tho complaint on her behalf was made of this violence to Sr *Thomas Lane*, he did not think fit to give her any relief, being (as it ſeems upon ſome evidence) poſſeſt with an opinion that there might be ſome grounds for purſuing this woman in that manner; ſhe was carried before him, and he being informed that this fellow could not eat nor drink, thereupon it was thought convenient by Sir *Thomas* in order to make a full diſcovery, that ſhe ſhould be ſcratched again, and accordingly ſhe was perſwaded to ſubmit to be ſcratched, and preſently after the ſcratching *Hathaway* did eat, and drank very greedily, and therenpon this woman was committed to Priſon; this was thought a great evidence of this man's being bewitched by this woman *Sarah Morduck*, what rule they have for it either in Philoſophy or Divinity I cannot tell. There was a Tryal, and the Woman was acquitted, and upon full Evidence. He then pretended to have faſted for a long time. That of our Saviour's faſting forty days, is mentioned in Scripture as miraculous, and an effect of Divine Power, being one Evidence of the truth of the Chriſtian Religion. Who can imagine, that without ſuch aſſiſtance a man can faſt forty days, or above, and yet continue in health; it is not within the compaſs of my underſtanding to conceive it, I muſt leave you to conſult your own; and to conſider with your ſelves whether you have any evidence to induce you to believe it to be in the power of all the Witches in the World, or all the Devils in Hell, to enable a man to faſt beyond the uſual time that Nature will allow, they cannot invert the order of Nature: And if the thing be impoſſible, and he endeavour all this while to make the world believe he has faſted ſo long a time, it is moſt evident he is a Cheat; for he muſt contrive to have ſome Victuals ſome way or other ſecretly conveyed to him; of which the impoſſibility of his being able to faſt ſo long is a demonſtration. But notwithſtanding this tryal, and that this woman was acquitted, yet this matter muſt be carried on ſtill; he was bailed out, and then returns to his fits again; and tho then he was not blind, or pretended to be ſo, yet he ſeemed to faſt and to be dumb again for a long time. This made a great hubbub about the Town, and the people clamour'd that the man had injuſtice done him in the Tryal at the Aſſizes, and reports were

ſpread

ſpread that the woman was acquitted by favour or corruption both of Judge and Jury: Upon this account the woman was purſued by a Rabble, and came to be in imminent danger of her life: Wherefore it was thought highly neceſſary that the proſecution againſt this man and others concerned with him ſhould be ſpeedy; and thereupon he was apprehended and bound to appear in the *Kings Bench*, and there he pretended ſtill to be dumb. His Bail deliver'd him up, and he was ſent to the *Marſhalſea*. There he lay without eating or ſpeaking for ſome ſhort time, till it was conſider'd that if he was under any real affliction, it was proper he ſhould be under the care of ſome proper perſon: Therefore he was put to the Houſe of Mr *Kenſey* a Chyrurgeon in *Fetter-lane*, who was ordered to take care of him and uſe him well; alſo to watch him, and endeavour to make a diſcovery of the truth of his condition. He was deliver'd into his hands the firſt of *November* laſt. The people of the houſe took care of him, and he faſted from *Saturday* till *Munday*; and Mr *Kenſey* asked him how many weeks he had faſted; he counted on his fingers twelve: But Mr *Kenſey* thought he did not deal truly, but had a mind to impoſe upon the world, and therefore he locks him up. He eat nothing all *Saturday* and *Sunday*; but Mr *Kenſey* found he had made Water, for he diſcovered the Rug or Counterpane of the Bed to be wet, and that it appeared to come from the Teſter of the Bed; he made water it ſeems in an old Box, and ſet it over the Bed. Drink was offered him, but he refuſed it: after this Mr *Kenſey* makes uſe of this Stratagem, he pretends to quarrel with his Maid, and gives her reproachful language, in the hearing of *Hathaway*, calling her Hypocrite like unto him, at which the Maid ſeemed to be provoked, and out of revenge to prevent her Maſters deſign in making a diſcovery; ſhe takes an opportunity and ſays to him, take heed of my Maſter, he will betray you. And ſhe had inſinuated her ſelf ſo far into him, that he began to truſt her, ſhe gave him on the *Monday* a glaſs of Brandy, which he drank, and a piece of Pudding, which he received and put into his pocket, and afterwards a Toaſt and Beer, which he eat and drank, and afterwards he entirely truſted this woman; and day by day he did eat plentifully for ſeveral days together in her preſence, from *Tueſday* to *Friday* ſevennight following; thinking Mr *Kenſy* did not ſee him, but he being in a ſecret place undiſcovered by *Hathaway*, did ſee him eat and drink ſeveral days, ſometimes he drank ſo much that he was perfectly drunk; and all this while he pretended to faſt, tho divers others beſides Mr *Kenſey* and the Maid were Witneſſes to his eating and drinking. Then it was thought to be time to diſcover this to the World, and he was told plainly by Mr *Kenſey* that he was diſcovered, and if he would tell the truth he ſhould be pardoned, ſeeing he could carry it on no longer. Now it is plain this man had counterfeited during the time he was at Mr *Kenſey*'s, tho that particular time be not laid in the Information, yet it is a continuance of that time which is laid therein. And if he was an Impoſtor by pretending to have faſted while he was at Mr *Kenſey*'s houſe, I leave you to conſider whether he was not ſo all the while before. You hear what management here has been, how he was at [illegible] how Pins were pretended to come from him, how they were made uſe of, and charms ſaid to him. You hear how ſome time ago one Mr *Bateman* came to him, hearing at the beginning of this buſineſs he vomited Pins, he ſaw ſome on the ground; when he vomited a conſiderable number they were linked up together; for it is hard to manage ſo many looſe Pins; but when they are linked together they are the eaſier to manage in the mouth. Here he pretended to vomit Pins, and would be ſtill putting his hands to his pocket, and Mr *Bateman* fancied he pulled them out from thence. Therefore he took the Chamber-pot, and would not let his hands come near it, then he vomited no Pins there, and he ſearcht his pockets, and there were great quantities of Pins found therein; neither did he at any time ſeem to vomit any Pins, until he had drank a draught of Ale. But notwithſtanding all this, there are people that come and tell you that he was ſick, he was diſturbed and had theſe Fits, one woman tells you ſhe has watched with him ſeveral times, ſometimes by night, another woman tells you that ſhe watched with him, when the other did not, and ſometimes by day; and that he did not eat, but was ſick, and out of order. An another tells you, he ſaw him, that he was in great diſorder, threw himſelf backward and forward, and would turn his face round towards his back, and that he was blind, tho his Eyes were open; But how could he tell that he was blind; ſaid he, when I pulled him by his Eye-lids, his eyes did not ſtir, and therefore he infers that he was blind. And then they give you an account that he was at the Hoſpital five months, and that he was weak, and went upon his Ankles, and had Quickſilver given him, and that he lay ſeven or eight days, and did not eat; but then there was no apprehenſion of Witchcraft. And one Mr *Smith* an Apothecary, a Witneſs, called on his part and a Neighbour, ſaid, he knew him four or five years ago, and that *Hathaway* was then with his Maſter, and had fits, and would fall down and ſeem to be dead; whether he was really ſick or counterfeited he cannot tell, he applyed his Cupping-glaſſes to him, and preſently brought him to himſelf, this is one of his own witneſſes. And then there is Mrs *Willoughby*; ſhe ſaw him in his Maſters houſe, and ſhe ſaid his breath made a noiſe like the barking of a dog, and ſhe believes he was bewitched, for ſhe herſelf had been bewitched, and was made to fly, and ſhe fancies he was bewitched becauſe of his breathing in that manner. And then they tell you what care was taken of him, and he was put into an empty Houſe about nine or ten days, and one man watcht with him by day, and another by night, and how they came to do that; and they ſwear they never ſaw him eat or drink all that time, but they ſay he did ſeveral times vomit Pins in that time; but it ſeems he was put there meerly out of Charity, the Pariſh would not be charged with him: Then they tell you there were people appointed to watch with him, there were two Chamber pots; and in one there were Excrements, and there were Pins in it, and Hair, and a piece of a Nail, but after he ſat on the ſecond Pot, there was nothing found therein; but they conclude him bewitched. Then there are others that ſay he lay as dead, and that they took out of his Mouth ſeveral Pins

and

and then you have an account after the Tryal what happened at Mrs *Davenport's*, where he was sent by Dr *Hamilton* to be tryed whether he was an Impostor or not. She says she watched with him herself sometimes, another woman at other times, and another at other times, and that they could never perceive that he eat any thing. But there is one Mr *Davenport* that was with him some other times, but he is gone to Sea, and could not appear. Then comes at last Dr *Hamilton*, and he tells you he was by, when this matter was brought before Sr *Thomas Lane*, and he could not tell what to think of his fasting, but as to his Fits and the Pins, he says those may be easily counterfeited by legerdemain tricks, but, says he, fasting for so long as some people did believe he did, is more than Nature can bear; no body can think the Devil has such a power to enable a man to undergo it. Tricks the Devil may play, but not work a Miracle, it is not to be thought that God should let him loose so far. This is the summ of the matter, his pretending to be dumb and blind, and to fast, and to be restored to his speech, his sight, and stomach, by scratching this woman, is fully proved. You are to consider whether he did labour under these infirmities, or counterfeited them, and whether scratching and drawing blood of the old woman, could be effectual to cure him of them, if they had been real? if not, then it is a strong argument that these infirmities were counterfeited. His scratching and drawing blood of a strange woman, instead of *Sarah Morduck*, did seem to avail him as much as if he had scratched her, until he understood he was imposed upon; then he seemed to relapse to his former condition. You will remember wat pass'd at Mr *Kensey's*, and the manner of vomiting of Pins as was pretended. You are to consider whether this man was *non compos mentis*, or under a delusion; therefore I shall spare the troubling you with more words, but leave it wholly to you. If you do believe upon the whole matter, that this man has imposed upon the Magistrate and on the World, or endeavoured by a counterfeiting these infirmities, to perswade people to believe that this woman was a Witch, and had bewitched him, then there is all the reason that can be, to find him guilty. But if you believe he did not counterfeit, or that he was not *non compos mentis*, or under any kind of delusions, you must acquit hem.

The Jury consulted, and without going from the Bar, brought him in Guilty.

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# A Short Account of the Tryal held at *Surrey* Assizes, in the Burrough of *Southwark*, *March* 26. 1702.

## In an Information, against *Richard Hathaway*, *Thomas Wellyn* and *Elizabeth* his Wife, and *Elizabeth Willoughby*, Wife of *Walter Willoughby*, upon an Information for a Riot and Assault, &c.

THE Information sets forth, that the Defendants, with diverse other persons, the 25th of *September*, in the 12th year of King *William*, at *Southwark*, in a Riotous and unlawful manner assembled themselves, and made a great Affray and Riot: And upon one *Sarah Morduck*, the Wife of *Edward Morduck*, being an honest woman, and not a Witch, nor ever using Witchcraft, Inchantment, Charm or Sorcery, did make an Assault; and under a wicked colour, against the Law, to try whether the said *Sarah* was then a Witch (the Defendant *Hathaway* then falsely and maliciously affirming himself to be bewitched by her the said *Sarah*, tho in truth he was never bewitched, and well knew himself not to be so) her the said *Sarah* did then and there scratch, wound, &c. against the Peace, &c.

The Information further set forth, that the said Defendants, 11th of *February*, in the 12th year of King *William*, at *Southwark* aforesaid, assembling themselves together riotously and unlawfully, did then and there make a great Affray and Riot, and also Assaulted the said *Sarah*, and beat, scratch, and wounded her, in Contempt of the King, and against the Peace, &c.

The Information further set forth, that the said Defendants the said 11th of *February* did Assault the said *Sarah*, and wounded her the said *Sarah*, against the Peace, &c.

The Defendants pleaded Not Guilty, and Iſſue was taken thereupon. The Councel for the King opened the Caſe to this effect: That the Defendants Caſe was the ſame in the other Information. *Hathaway* pretended himſelf bewitch'd, and the Contrivance was carried on by the other Defendants and divers others; but whether for the hopes of getting Money by it, or out of malice to take away the poor womans life, or what the deſign was, was not then known; but it was certain that ſeveral Riots and Aſſemblies were made, and great numbers of people came together in a body, at ſeveral times to *Morduck*'s Houſe, and in a violent manner entered the ſame and by force, took her out and carried her away to the Defendant *Wellyn*'s Houſe, where the Defendant *Hathaway* ſcratched her, and the other Defendants alſo in a very barbarous manner beat her, pulled out her Teeth, tore her Face, Hair and Cloaths, threw her on the ground, ſtampt upon her Belly, and threw her into the ſtreet, where ſhe lay as murdered until taken into a Neighbours Houſe, which the Defendants and others in a riotous manner beſet, and threatned to pull it down, unleſs *Morduck* (the pretended Witch) was again delivered to them. Theſe Riots and Aſſaults happened to be encouraged by an accident, which fell out as *Morduck* was going through *Newgate-market*, where the people crying out a Witch, the Rabble ſeized her, and threatned to throw her into a Horſe-pond; that one of theſe Rioters being taken away, was carried before a Magiſtrate in the City, but he was ſo far from taking notice thereof, that he declared that there was cauſe enough for it; and being deſired to ask the perſons name, refuſed it; but the ſame Magiſtrate afterwards ordered the Defendant *Hathaway* to ſcratch *Morduck* in his preſence, where were alſo preſent ſome of the Aldermen of *London*: Theſe matters being acted by publick authority, gave the Licentious Mob ſuch a Confidence, that even after the woman was tryed and acquitted, the Defendant *Hathaway* committed for an Impoſtor, yet he with the other Defendants did again in a riotous manner aſſault, ſcratch and wound the ſaid *Morduck*, and purſued her after a cruel manner from day to day, till they were taken into Cuſtody, in order to be puniſhed for the ſame, for which ſeveral barbarous facts the Defendants were then to be Tryed.

*Then the Councel for the King called their Evidence to prove the ſeveral Branches of the Information.*

*Sarah Morduck* being called and ſworn, depoſed to this effect; That in *September* laſt *Richard Hathaway* came to this Informant in *Surrey*, as ſhe was opening her Window, and being behind ſcratcht her face in a very cruel manner, and forced out one of her Teeth, and carried away her Cloaths; and upon the 11th of *February* laſt, *Thomas Osborn*, *Thomas Hatton* with four other Perſons unknown, all in diſguiſe, came to this Informants Houſe in *Surrey*, and forced her out of her Houſe, and carried her to the Houſe of *Thomas Wellyn*, who is Maſter to the ſaid *Richard Hathaway*, and there the ſaid *Hathaway*, by the encouragement of the ſaid *Osborne* and *Hatton*, and the reſt of the Company, did again ſcratch this Informant in a moſt barbarous manner, and afterwards *Elizabeth*, wife to the ſaid *Thomas Wellyn*, fell upon her and ſcratcht her in a moſt cruel manner, and tore her face, and tore off her head-cloaths and hair, and then the ſaid *Thomas Wellyn* gave this Informant two or three kicks on her belly, and threw her on the ground and ſtampt upon her, and ſo much bruiſed her that ſhe was forced to keep her bed for about a fortnight. And this Informant further depoſeth that in *September* laſt, one *Elizabeth Willoughby*, the wife of *Walter Willoughby*, came to this Informant's houſe in *Surrey*, and brought a great many perſons unknown to this Informant with her, and the ſaid *Elizabeth* gave this Informant ſeveral blows with her Fiſt, and would have pulled her out of her houſe, for him, the aforeſaid *Richard Hathaway* to have ſcratch'd her, he ſtanding at a corner hard by, but was prevented by *Mrs Sarah Hall*. And further ſaith, that in the month of *September* laſt ſhe having occaſion to go into *Newgate Market*, a Boy, his name is *John Hopkins*, called out, ſaying there goes the Old Witch, whereupon a great Company of People in a riotous manner, flockt about her, and threatned to throw her in a horſe-pond, and this Informant being got into an Ale-houſe by the aſſiſtance of ſome women, avoided the fury of the Rabble, otherwiſe ſhe had been murdered, as ſhe verily believes, and afterwards *Mr Burrell* her Landlord with others his Aſſiſtants came and conveyed her home.

*Sarah*

*Sarah Hall* was the next Witneſs, who ſaid, that *in September* 1700 about 8 in the forenoon, Defendant *Willoughby* came with *Hathaway* and others, pretending to buy fruit of *Morduck*, and told *Morduck* ſhe came to have her out, that *Hathaway* might ſcratch her, and *Willoughby* ſtruck *Morduck* ſeveral blows, and forced her out of doors, before *Hall* could come to her aſſiſtance, who with difficulty got *Morduck* into her houſe again, upon which the Defendants *Willoughby* and *Hathaway*, and others, beſet her houſe and threatned to pull it down, unleſs they had *Morduck* delivered to them, but *Hall* calling up her Husband, who was a Bed, the perſon went away.

*Robert Adames*, and *John Bowrer*, both Watermen, declared, that plying for their Faire at *Maſons* ſtairs, they ſaw Defendant *Hathaway* come behind *Morduck* as ſhe was opening her Window, and took her about the neck with one arm, and pulled her almoſt to the ground, and ſcratch'd her face in ſeveral places till the blood came, and tore her Mouth, and tore her Hood and Head-cloaths from her Head, and being taken off, *Morduck* got into a Neighbours houſe, whom *Hathaway* would have purſued in at a window, had not *Adams* ſtopt him.

To prove the Riot and Aſſault in *February* 1700.

*Sarah Morduck* declared, that the 11th of *February* 1700. *Tho. Osbourn*, *Tho. Hatton*, with four others unknown, all diſguiſed, came to and forced her out of her houſe, and carried her to the houſe of the Defendant *Wellyn*, *Hathaway*'s Maſter, where *Hathaway* by the encouragement of the Company ſcratcht her barbarouſly, and after that *Wellyn*'s Wife ſcratcht her and tore her hair, and face, and pulled off her head-cloaths, then *Wellyn* kickt her two or three times on the Belly, and threw her on the ground, and ſtampt on her, and bruiſed her ſo much that ſhe was forced to keep her Bed for a fortnight.

Mrs *Hall* ſaid, that in *Feb.* 1700. in the evening ſeveral perſons unknown came to her Houſe, and forced *Morduck* from thence, and carried her to *Wellyn*'s (as ſhe was told) that about half an hour after *Morduck* was caſt into the ſtreet, and being received into a Neighbours Houſe, *Hall* went to her, and found her Face much torn in a moſt barbarous manner, and her Legs, Arms and Body cruelly Bruiſed and Black.

Then the Council called Witneſſes to prove the Third part of the Information.

*Samuel Burrel* being ſworn, depoſed that *Edmund Jones*, in company with two more, came to his houſe, and deſired to ſpeak with *Morduck*, who lodged there, who being called to *Jones*, he ask'd her to go over the Water to be ſcratch'd by *Hathaway*, who declared he was bewitch'd by her; but ſhe refuſing to go, *Jones* ſaid if ſhe walk'd *London* he would have her ſcratch'd; and further, that about *Eaſter* or *Whitſon* week laſt the ſaid *Jones* came to his Houſe with about fourteen ſtrangers, among whom was *Hathaway*, and would have forced into *Morduck*'s Chamber, but a Conſtable coming, they all but *Jones* diſperſt, whom the Conſtable took, and carried before Sir *Thomas Lane*; but Sir *Thomas* would take no notice of it.

*Thomas Knowlton* being ſworn, depoſed that in *Eaſter* week laſt, *Jones* and *Hathaway*, and ſeveral others went into *Burrel*'s Houſe, and asked for *Sarah Morduck*, who was called down to them, when *Burrel* deſired them to go up ſtairs into the Common Drinking-room, and deſired *Knowlſon* to ſee that *Morduck* had no harm done her. That ſoon after came in about fourteen perſons, one of which ſaid they came to give *Hathaway* eaſe, and that they would do it before they went; upon which *Morduck*, at *Knowlton*'s deſire, retired into her Chamber.

*Thomas Noon* being ſworn, declared that all the time aforeſaid he ſaw three or four perſons, who were of *Jones*'s Company, endeavouring to get into *Morduck*'s Chamber, and upon *Noon*'s asking them their buſineſs, they cry'd they would ſpeak with *Morduck*; but upon his threatning them they went into the Room below ſtairs from whence they came.

*Henry Armſtrong* declared that in *September* was twelvemonth he ſaw a great number of people following *Morduck*, calling her Witch; and going home afterwards, he ſaw a crowd of people at an Alehouſe door near St *Paul*'s Church-yard, who declared *Morduck* a Witch, and that he aſſiſted *Burrell* in ſecuring *Morduck* from the Rabble.

*James Hearne* being called, depoſed that in *Eaſter* or *Whitſon* week laſt one *Jones* was apprehended for a Riot by him and others committed in *Burrell*'s Houſe, and carried before Sir *Thomas Lane*, who diſcharged *Jones*, ſaying there was cauſe enough for the Riot; and tho often entreated by *Hearne*, yet Sir *Thomas* refuſed to let him know *Jones*'s name. And the ſaid *Hearne* further declared, that the day after *Jones*

was

was carried before Sir *Thomas*, he and *Burrell*, by Sir *Thomas*'s directions, carried *Morduck* before him, where were present Sir *Owen Buckingham* and Dr *Hamilton* and the Defendant *Hathaway*. That Sir *Thomas* would have had *Morduck* scratcht by *Hathaway*, which she refused, unless she might be at peace for the future: And after Dr *Hamilton* had given *Hathaway* some Beer, Sir *Thomas* would have had *Morduck* scratcht; but the Dr said, let her alone a little, to see what effect the Drink would have on *Hathaway*; and said, if she was scratcht it would be said that the Scratching, and not the Drink, made the alteration. And Sir *Thomas* had heard some more discourse of *Hathaway*'s vomiting Pins, *&c.* Sir *Thomas* said again, let her be scratcht, but *Hearne* opposed it, saying, she had been too much abused already; notwithstanding which Sir *Thomas* ordered *Hathaway* to scratch her, and ordered her to be stript and search'd by some women in his own House. That *Hearne* seeing Sir *Thomas*'s Resolution bid him satisfie himself. After which Sir *Thomas* committed *Morduck* to *Woodstreet-Compter*, and refused 500 *l.* Bail for her appearance: But upon application made to him by Dr *Barton* and Dr *Martyn*, Sir *Thomas* accepted *Hearne*'s and his Brother's Bail for *Morduck*.

*The Witnesses for the Defendants being called and heard, and the Right Honourable Lord Chief Justice* Holt *having spoken to the Jury they withdrew, and soon after brought them all in Guilty.*

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# *FINIS.*

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THe Tryals and Condemnations of *Robert Charnock*, *Edward King*, *Thomas Keyes*, Sir *William Parkins*, Sir *John Friend*, *Ambrose Rookwood*, *Charles Cranborne*, *Robert Lowick* and *Alexander Knightly*, for the horrid and execrable Conspiracy, to Assassinate his late Majesty King *William*, in order to a *French* Invasion of these Kingdoms.

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